

F E D E R A T I O N

The Coming Structure of World Government

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TO THE
FREE PEOPLES OF THE WORLD
THAT THEY MAY
MAKE THE WORLD FREE

Preface

THE GREAT WAR in the fifth decade of the twentieth century has aptly been called global, perhaps to distinguish it from the other great war of 1914 to 1918, which now appears unmistakably the lesser of the two holocausts that have overtaken mankind within a generation. It is as if men had chosen unwisely in calling the war of 1914 to 1918 a "world war" and now must seek a name befitting a conflict which overshadows anything that the world has previously known. For this new war is global to an extent that the other, earlier world war was not: in the range and extent of operations, and in the annihilation of global distance itself.

These facts have fixed themselves in the minds of people everywhere, with the result that our thoughts and plans for the future have been altered in ways that perhaps could not have been possible a quarter of a century ago. The thoughts then expressed for the reconstitution of the world after hostilities should cease were halting, incomplete, and tentative. There was a feeling, not always articulate but nowhere more evident than in the United States, that the great war was an incident in the stream of history, and that once the armies had been disbanded and their weapons scrapped, life would go on as before. Something more forceful than twenty years of an uncertain peace, however disillusioning that experience may have been, was required to disabuse us of such notions. With global war has come global thinking for peace — How shall it be accomplished? How shall it be made enduring? How shall the world be organized for the welfare of all peoples?

This book represents a sincere attempt to explain and discuss the functioning of a federal system for the whole world or a preponderant part of it. The work had humble beginnings. Three years ago, Professor Howard O. Eaton, upon the urging of his friends and colleagues at the University of Oklahoma, was induced to put in written form his ideas on world federation. After a period of criticism in the local community, the revised plan was circulated to more than one hundred leading teachers, scholars, public officials, journalists, and publicists. A surprisingly large number responded to the challenge. In its present form, the plan¹ represents the twenty-second revision of the original formulation.

This federal plan which is included here as an appendix is not considered by its author to be perfect in any sense of the term. Although most of those who co-operated in its formulation favored the federal principle generally, there was considerable divergence of opinion upon specific features. Many objections were satisfied through the restatement of provisions, but there still remain differences of opinion upon some of the principal features of the plan, such as the nature, powers, and manner of selection of the executive and the legislative officers, the basis of the electorate, the eligibility of national states for membership in the federation, the distribution of powers between the central and member states, the basis for world military and naval forces, provisions for establishment of minimum labor, educational, and social standards, and many other problems that are indigenous to so delicate a consideration as that of allocating political powers to separate governments within an integrated federal system. Unanimity upon a question of such magnitude could not reasonably be expected. The various collaborators in the study do not agree upon specific points, nor could so much be expected of the members of any constitutional convention elected to draft a federal constitution.

The high purpose behind these pages is that of considering

¹ See Appendix, pp 212-27

federal principles from the vantage point of the ideal. Generally, then, these views represent the most favorable case for world federation. There must be a point of departure. If federation comes, the odds are that purity of principle will have to be sacrificed to the realities of compromise. With this realization, the authors have merely assumed the position that the pressing need of the present is that the democratic peoples of the world should face the "right" direction. In other words, the trend in the modern world should be sharply reversed. Only through such reversal may the world initiate a promise for the future solution of the problem of security.

We are grateful to Vice-President Henry A. Wallace and the publishers of *Free World* for permission to include "The Price of Free World Victory," and to Wendell Willkie and Dr. T. V. Soong, foreign secretary of China, for the right to publish their two essays that were originally written for oral delivery. Before its present revision, the analysis of federalism written by William P. Maddox appeared in *The American Political Science Review* and is re-published with the approval of Frederic A. Ogg, the editor. Carl J. Friedrich's essay, though originally written for this book, appeared in the December, 1942, issue of *The Pennsylvania Law Review*.

C. A. M. E.

Norman, Oklahoma

September 30, 1943

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F E D E R A T I O N

The Coming Structure of World Government

The Problem of Security

THE WORLD lives today in momentous crisis. For the first time since the middle of the seventeenth century, it wrestles with an intellectual problem that seems to defy solution. Part of that conflict is represented by marching armies, attacking and defending air armadas, and naval maneuvering for control of vital sea lanes. The strictly military phase is in a very real sense only an exterior manifestation of the tremendous inner conflict that tears at the hearts of men, of nations, and in the international political structure. With the physical exhaustion of national peoples or with the military defeat of one or the other of the military antagonists, this phase may well pass. But whatever the result of the struggle of raw force, millions of men and women will continue to evaluate the claims and the counterclaims of competing ideological systems.

Beneath the obvious propaganda and the urgent slogans of competing nationalisms, there lies the fundamental and persistent problem of individual and collective security. This is no new problem. From the dawn of civilization, the mere exigencies of the will to live have forced men to come to grips with the question. The recorded solutions reach all of the way from the barricaded opening of an aborigine's cave dwelling to the solemn covenants of potential enemies. The former, like flight from an enemy, is a very simple solution to the problem of security. The "tight little isle" strategy is only an adaptation of this elemental formula for protection. In fact, all defensive military establishment and organization fall within this category. The existing international anarchy, as G. Lowes Dickinson so aptly characterized it, sets the most favorable condition for the operation of the

simple formula of barricading the cave door against predatory beasts and men.

If successful, the cave-door technique necessitates the expenditure of energy in proportion to that of the enemy. It also requires constant vigilance. The status of a defender, whose skull was crushed while he slept, differs not at all from one whose head was broken during a frontal assault upon the barricade. One is as dead as the other. The same analogy applies to national states. The size of peacetime armies and navies is ever a matter of vital concern to any organized people. The defense must be sufficient to forestall any hostile intentions of the enemy.

Mankind might be willing to concentrate all of its energies upon the problem of security were it not for the fact that there are other desiderata of consuming importance. Men want to enjoy themselves as individuals. Except for prestige and group approval, they get little real pleasure out of collective action. None really enjoys the task of manning a parapet lookout.

The vital social problem, therefore, consists of the proper division of a state's energy between public defense and the production of the good things of life. The so-called military states, such as Germany, allocate a greater share of their national activity to military purposes. The commercial states, such as Great Britain and the United States, have consistently followed a peacetime policy of cutting their public defense services to a bare minimum. Possessing confidence in their ultimate ability to repel any assault upon their national citadels, the peoples of these commercial states are simply of the opinion that an existence of mere security is not enough—"the good life" is good only to the extent that individuals enjoy themselves personally in the consumption of social goods and services. The military state is one of economic asceticism; the commercial state moves in theory to the ideals of universal security and of an economy of abundance.

This first formula for security is natural, primitive, almost instinctive. But in a closely integrated world its implementation involves great sacrifices from individuals and from national

peoples. It requires too many man-hours to guard the parapet walls, man-hours that could be put to far more profitable use in the production of commodities for civilized human living. Throughout the democratic world, there swells the popular demand to solve the security problem by a method more in the spirit of efficiency and humanitarianism.

Even primitive peoples discovered that, by organization and division of labor, individuals might achieve personal goals through collective action. Their organization was secured through the agency of law. Law is no more than a collection of the rules of behavior that are acceptable to and approved by a large percentage of the community. With all their mixed reactions to the multitudinous provisions of public and private law, the citizens of today are under no illusion as to the efficacy of law. Without it, life would be a constant repetition of frustration and defeat. To be one's own legislator, executive, and judicial officer would be too onerous even for the most anarchic of citizens. The most intransigent individual asks personal discretion only in very limited fields of behavior. Mr. Jones, the importer, may hazard the penalty for smuggling goods into the country, but he has no optimism for the prospect of an unpoliced community. If he must protect his house and family with his own hands, Mr. Jones would have very little opportunity to secrete goods from the customs officials.

The history of jurisprudence is the interesting story of social experimentation with the application of regulatory power to human behavior. The story does not reveal any steady accretion to collective jurisdiction; rather, it reveals a confused series of expansions and contractions of formal social authority.

Nevertheless, contemporary utilization of collective control unquestionably represents a sizable extension over that which existed in the eighteenth and nineteenth centuries. The industrial revolution released new forces and techniques of mechanical energy, which made possible much higher standards of living. Soon it was possible for the erstwhile villein class to enjoy goods

that had been beyond the means even of manor lords. The close bonds of feudalism fell like autumn leaves from the shoulders of the common people. With its attention upon the prospect of a new life, the nobility scarcely sought to restrain the serfs who fled the lands upon which for centuries they and their ancestors had made their only homes. Social mobility and liberty were practically synonymous concepts.

The decentralized authority of the Middle Ages, as close as any that ever existed in any society, was soon replaced by the authority of the national state. Under it, control over personal actions was far less stringent than under feudalism. Individual discretion was not only the force that produced democracy; it was the result as well. The doctrine of *laissez faire* was first fully formulated by a modest Scottish professor, but it was already full-blown in the hearts of millions of commoners in western Europe.

Between the period when feudalism lost its powers and the age of the strong national state in the twentieth century, there was a long era during which the citizen exercised considerable individual discretion. The theories of the natural rights of man and the political practices of the seventeenth and eighteenth centuries became the instruments for increasing collective control. The doctrine of natural rights achieved its climax in the philosophy of Jean Jacques Rousseau in mid-eighteenth century. To Rousseau, the minority was always wrong; the majority, on the other hand, was performing a salutary service in correcting the misapprehensions of the wayward minority. The almost divine doctrine of the majority has been dominant in democratic thinking since his day. If rights are granted to individuals, it is the will of the majority which makes the grant; if they are denied, it is by the same unquestionable authority.

Since the latter part of the eighteenth century, national states have reduced the discretion of the individual. This has followed from the realization that liberty is attainable only through the enforcement of law and the consequent restraint of individual

discretion. Thus, paradoxically, effective human liberty has been increased in proportion to the diminution of individual discretion; for law restrains all others from infringing upon the rights of every individual citizen. The great issue is not, therefore, between liberty and authority, but between liberty and individual discretion. Full discretion is anarchy, under which real liberty is impossible. One has no liberty to worship God as he sees fit if he must fight hostile pickets parading in front of his church door. The problem of achieving real liberty has ceased to be entirely a national problem. States like Norway, Denmark, and the Netherlands had gone a long way toward securing the liberties of individuals within their respective national boundaries; but they have proved themselves utterly incapable of repelling assaults upon their "national cave doors."

The national-state system which offered so much relief from the pronounced regimentation of the feudal era brought into existence new problems of human security. Living in a comparatively anarchic environment, the national states relied upon force for protection. The work of Grotius, Vattel, and other theorists in the field of international law was aimed essentially at the perfection of procedures for the settlement of disputes between states without recourse to raw force. The states existed like men in the Hobbesian state of nature. The only limit to gratification of appetites was the limit of capacity. The international lawyers realized that the substitution of law in place of force as a means of protecting the liberty of states and, therefore, of individual citizens, could be achieved only at the expense of national sovereignty. And the new allegiance was too youthful, too virile, to be overpowered through any sentimental appeal for the institution of a regime of world law.

As late as World War I, the national citadels could be defended by military lines. Had not the great opposing armies remained deadlocked for more than four years in northern France and Belgium? Life went on behind the lines in fairly secure fashion. Only the tremendous costs in men, materials, and the

nervous systems of humans contributed to the demand for the creation of a world state. The national sovereignties, which appeared secure in 1919, were in direct opposition to the surrender of power. It is true that, in the Covenant of the League of Nations, provision was made for the chastisement of international outlaws, but the sole instrument by which this was to be achieved collectively was economic boycott. How ineffectual that instrument proved to be between 1931 and 1939 is now a matter of record.

The military techniques employed in the contemporary world struggle completely alter the problem of national and individual security. The line of soldiers on the frontiers no longer protects the people and the property of a state. The perfection of the airplane as an offensive weapon deepens the line of military conflict to encompass, in the case of small states, the entire territory.

It is now possible to witness the almost complete annihilation of a country without the actual defeat of its non-aerial military forces. This means, therefore, that even the apparent military victor may suffer damage to his population and economic structure nearly as disastrous as that inflicted upon the vanquished. The result is that there opens before all people, military-minded or pacifist, the threat of a pronounced decline in the standard of living. A society of near-savagery is not an impossible prospect (interpreting "savagery" in economic and social terms). So much greater, therefore, is the urgency to secure the amenities of civilization through the creation of a monopoly of power. Every police force represents such a monopoly within a specific political district. National protection can be realized today only through the extension of that monopoly of power to include the entire world, or a sufficient part of it, to render impotent the savages who inhabit the border marches.

The achievement of security will depend, in democracies, essentially upon the manner in which those who shape public opinion react to the threatened reduction in national sovereignty. Federationists must not underestimate the opposition which will

flow from economic interests and psychological habits and allegiances antithetical to the erection of a system of world federalism. Many who, theoretically at least, are opposed to world federation must be given credit for being sincere conservatives, not convinced as yet that such a world organization is within the realm of practical possibility. In other words, theirs is a commendable attitude, one that prefers the ills we have rather "than fly to others we know not of." But these people, no less than the pronounced internationalists, have to make choices involving both their safety and that of their countries.

There are other persons who, seeing the growth of a diabolical reliance upon armed might to secure by unethical means the materials of the good life, have developed an uncertain nostalgia for the way of life which existed during the eras before the emergence of the national-state system. These are the people who might be termed the arch-reactionaries of today. No one will deny the humanity and relative security of the thirteenth century. But can the appetites of the twentieth century be satisfied by the psychology and the institutions of the thirteenth? These well-intentioned people, to put it bluntly, are not facing the facts. They spin their utopian webs out of medieval materials which will not endure the acids of the modern economic world.

In addition, there are millions of people who are unwilling to permit the competition of any other political entity with the national state for their patriotism. All of us were born in national states. Our patriotism is, therefore, perfectly natural. Indeed, it is almost biological. Most of us had it, or a portion of it, before we attained the "age of reason." It is idle to assume that any logic, no matter how powerful, will be able to dissipate such fundamental loyalties—which bid fair to increase incalculably during the present world struggle.

Localism and nationalism are, without question, powerful psychological factors. To most people, internationalism is an amorphous concept. It is romantic, impractical, ethereal! People are tied to land, to local institutions, or at best, to national unities.

But the speed of modern communication and transportation systems and the dispersal of fighting forces to the far corners of the earth have done much to erase the township perspectives of the nineteenth century. Today bombers fly non-stop from United States bases to Australia or to Central Africa. In a few short weeks Burma became a vital unit in world political geography, whereas, nearly to the close of 1941, it has been, to most Americans, only the wild jungleland in which Frank Buck trapped sleek cats for American circuses. In a very real sense we are now engaged in the first global war in human history. Plans for national security must inevitably consider the potentially hostile factors in any part of the world. The old concept of internationalism is, therefore, losing much of its intangible quality. It is becoming a living, dynamic solution for the problems of national security.

There is another factor which favors the adoption of some kind of system of world federation. A great percentage of the peoples of the world have had experience with it. This may be contrasted with the situation in the United States in 1789. The "fathers" of the United States Constitution experimented with a largely untried but rational system of government. Ours was the first system of federalism on an extensive scale. Since that time, Canada, Australia, South Africa, Mexico, Brazil, Argentina, Germany, Russia, India, and a dozen lesser states and commonwealths have used governmental systems organized along federal lines. The British Commonwealth of Nations is now, in fact, practically a federation. Thus, the great masses of people in the world realize that federalism is a perfectly feasible plan of government. It is not, therefore, an alien order, antagonistic to the historical precedents of most national peoples. It has its roots in the soil of human history.

II

Pan-Americanism

THE CONCEPT of international collaboration is not new in the Americas. The assembly of the representatives of the foreign offices of the American nations held at Rio de Janeiro during the last half of January, 1942, was merely the latest phase of a movement envisaged by a number of individuals during the early years of the nineteenth century. Prominent among the originators were Francisco de Miranda, Thomas Jefferson, Henry Clay, and Simón Bolívar, but there were many others. The centenary of the movement was celebrated by a Pan-American conference at Panama City in 1926. Between 1826 and 1942 well over one hundred international congresses and conferences of the American states assembled in the New World.

Some of the American nations, however, have been more interested than others in collaboration, and there have been differences of opinion about the geographic area which should be embraced in this collaborative enterprise. Most of the Argentine leaders long stood aloof; the government of Argentina participated in only three American international assemblies before 1889, and these three related either to law or sanitation. Brazil took part in only two conferences before that date, one concerned with legal and the other with sanitary problems; and the Washington conference of 1889-90 was the first international American assembly in which the United States was represented. And yet, Argentina was always invited to participate in such conferences, and both the United States and Brazil were often either invited to send delegates or sounded with respect to their willingness to do so. The fact is that for half a century the American

collaborative movement was sponsored solely by certain Spanish-American states, among which disagreements arose in respect to whether the United States and Brazil should be included. During the years following the 1880's, however, the United States and Brazil became more deeply interested in American internationalism and even Argentina evinced somewhat greater concern.

The early nineteenth-century movement for American collaboration was the result of an immediate and urgent crisis: the Latin-American wars for independence and the possibility that Spain and Portugal would receive aid from the so-called Holy Alliance in efforts to subdue their insurgent colonies in America. This alliance eventually abandoned whatever designs it may have had on the New World mainly because of the opposition of the United States and Great Britain, opposition manifested repeatedly between 1818 and 1823 but stated most forcefully in the notable Canning-Polignac interviews of 1823 and in President Monroe's message of the same year.

With the passing of this particular crisis, the strength of the American co-operative movement began to decline. Its strength already was ebbing away before the Panama Congress of 1826 assembled. That congress, for which plans were made in the early 1820's, was attended only by delegates from Mexico, Central America, and two states of northern South America, namely, Peru and La Gran Colombia (the latter of which later split up into the three nations of Ecuador, Venezuela, and Colombia), in spite of the fact that all the independent states of the Americas had been requested to send delegates. It is interesting to note, moreover, that England, France, and the Netherlands were asked to have observers present and that England and the Netherlands each actually sent an observer. American pacts of alliance were signed at Panama, but they were never ratified because the menace of the Holy Alliance already had vanished.

Between 1826 and 1846 all efforts to call together another American conference failed because no grave foreign menace was confronted. It is true that the French government bombarded

Vera Cruz in 1838 in order to compel Mexico to pay indemnities for injuries inflicted upon French subjects, but this was not a very serious matter. It is true also that England and France employed similar coercion largely for the same purpose against Argentina in the late 1830's and following, but apparently isolationist Argentina issued no call to Pan-America for assistance, although the United States was asked later in the name of the Monroe Doctrine to help oust England from the Falkland Islands.

The congress of 1847-48 held at Lima was convoked by Ecuador and Peru for the purpose of obtaining aid against the contemplated aggression of a Latin-American soldier of fortune named Juan José Flores, a former president of Ecuador who had the backing of the Spanish queen. Mexico might have called for a similar conference in 1845 or 1846 in order to secure aid against the United States, but Mexico appealed to France and England instead of her Latin-American sisters. All of the independent nations of the New World were invited to send delegates to Lima, but the invitation issued by New Granada (present-day Colombia) to the United States seems to have been irregular and unauthorized by the other states. In the end, only five South American governments were represented at Lima: Ecuador, Peru, New Granada, Chile, and Bolivia. Treaties of mutual assistance were signed but never ratified mainly because Spain withdrew its support from Flores and he soon ceased to be a serious threat.

During the following ten years, the American movement for solidarity became strictly a Spanish-American affair designed to counteract the aggressive tendencies of the United States, tendencies which were thought to be a menace not merely to Mexico but also to Central America and perhaps even to the river valleys of South America. Two diplomatic conferences took place in the year 1856: one in Washington, attended by the diplomats of New Granada, Venezuela, Mexico, and three Central American countries; the other in Santiago de Chile, where representatives of Peru, Ecuador, and Chile signed a so-called "continental" (really a Latin-American) treaty of alliance, to which other nations of

Latin America—apparently including Brazil—were asked later to attach their signatures. But the threat of aggression from the United States disappeared with the outbreak of the Civil War in this country, and the projected Latin-American alliance was not formed.

The military aggressions of France and Spain against various Latin-American countries during the 1860's stimulated further efforts toward American collaboration, and these efforts led finally to the Lima congress of 1864-65. All of the independent nations of the Americas were invited to participate in that assembly, with the sole exception of the United States, to which no invitation was issued because soundings had indicated that Lincoln and Seward would decline to be represented if invited. The Lima assembly included delegates from only seven countries: the South American states of Colombia, Ecuador, Peru, Bolivia, and Chile and the Central American states of Guatemala and El Salvador. The famous Domingo F. Sarmiento, who attended the sessions of the congress as an observer from the Argentine, was scolded for taking too active a part in the proceedings. A treaty of union and alliance was signed by the delegations, but was never ratified. The French threat against Mexico and the Spanish threat against the Dominican Republic and the Pacific-coast countries of South America disappeared before ratification could be effected.

Owing to the rather aggressive diplomacy of James G. Blaine and Frederick T. Frelinghuysen and to the changing policy of the United States concerning the American Isthmian routes, Colombia tried to assemble a Latin-American conference in the 1880's for defensive purposes but failed. The only conferences of that period were two sets of regional conferences. The conferences which included the Central American states were designed to restore the Central American Union of the early national period, and nothing was accomplished. The South American regional conferences of the 1880's related to law and sanitation.

Such, then, was the early movement for American collaboration. The initiative came entirely from Spanish America. The United States was not represented at any of the assemblies and sometimes was not even invited. Argentina and Brazil, while asked somewhat more frequently to participate, took almost no part in the movement.

The half-century following 1889 witnessed three different collaborative movements in the Americas. One was purely regional and designed to restore the political unity of Central America. Another was largely regional, but tended at times to expand so as to include all the nations of Latin America. This second movement, however, dealt mainly with law, sanitation, and science and was confined for the most part to South America. A third movement, a movement all-American in scope (Canada omitted), tended gradually to absorb these regional activities. In short, New World efforts at co-operation were becoming Pan-American, and more and more the United States was assuming the leadership.

All of the independent states of the Americas sent representatives to the assembly which met in Washington, D. C., late in 1889 at the invitation of the United States. This was the first time that delegates from all the American nations were present at such an assembly. The meeting is officially known as the "First International Conference of American States," and the permanent organization of this phase of the American collaborative movement dates from this conference, which provided for a permanent secretarial staff that soon developed into the Pan American Union located in Washington. Other inter-American movements of narrower scope have had no such permanent organization.

Between 1890 and 1942 more than seventy official assemblies representing the independent states of the Americas were convened by or through this permanent secretariat with offices in Washington. Most important among the assemblies, at least until recently, was the series of conferences with broad agenda numbered consecutively from the conference of 1889-90. The second

of the series met in Mexico City in 1901. Others followed in Rio de Janeiro (1906), Buenos Aires (1910), Santiago (1923), Havana (1928), Montevideo (1933), and Lima (1938). The numerous other conferences were, as a rule, of minor significance. Each dealt with one or two specific problems of an economic, cultural, or social nature. Since the approach of World War II, however, the consultative conferences of the foreign offices of the Americas have assumed tremendous importance, and the Washington conference of 1928-29 on conciliation and arbitration was also important.

During most of the period between 1889 and 1933, as during the 1840's and the 1850's, Latin-American distrust of the United States tended to retard the development of the American collaborative movement and to prevent it from becoming all-American. At times, some of the Latin-American nations were more apprehensive of the United States than of the European powers. This distrust of the United States was not, however, the only factor which hampered the movement for American co-operation. Suspicion and strife among the Latin-American nations themselves limited both the scope and the achievements of American collaboration. Most discussions of Pan-Americanism give too little attention to bitter discords in Latin America.

The main causes of friction and strife in Latin America were: (1) unsettled boundaries; (2) disputes regarding the navigation of international rivers; (3) organization of revolts by political refugees across international frontiers; and (4) the disposition of certain ambitious nations or leaders to seize territory belonging to their neighbors, to create vaster unities by means of force, or to promote political affiliations across international frontiers. Petty international wars were frequent in Central America between 1838 and 1908, and hostilities also occurred at times between Haiti and the Dominican Republic. The only very serious military conflicts among the Latin-American nations, however, took place in South America. Six of these were of considerable magnitude. Compared with the Paraguayan War of 1865-70 or

with the more recent Chaco War, the war between the United States and Mexico was a minor conflict in spite of the fact that it resulted in a major reduction in the Mexican national domain. The military operations of the United States in some of the Caribbean republics were small engagements in comparison with Chile's two wars with Bolivia and Peru. It would be quite erroneous, therefore, to assume that harmony between the United States and Latin America is equivalent to Pan-American harmony. In the international politics of the Americas, each state must be considered in its relation to every other state. There have been deep enmities among the Latin-American states themselves.

In recent years progress in clearing away animosities among the Latin-American nations and between the several Latin-American nations and the United States has been remarkable. Most of the old causes of distrust and conflict had ceased to exist by the early 1940's. Yet, it would not be safe to assume that harmony was universal, that the memory of former grievances had disappeared, or that the foundations of solidarity were impregnable. Peru and Ecuador still had their boundary dispute. Argentina and the United States were competitors in the commercial field, and Argentine leaders were inclined to be jealous of any American nation which threatened their prestige in Spanish America—or at least in southern South America. Moreover, Argentina's economic interests and aspirations in Paraguay and Bolivia were in conflict with those of Brazil, and these two countries were watching each other closely in military and naval matters.

Since motives for participation in the American international movements have differed with each state as well as with time and circumstances, all generalization on this subject is hazardous. One may venture to state, however, that the most constant objectives of Pan-Americanism have been security and economic advantage, with security coming first in most of the Latin-American countries and with economic advantage coming first in the United States, until the order was reversed, perhaps, in the year 1936 or shortly thereafter. Until pledges of self-restraint finally

were obtained from the United States at the Conference of Montevideo in 1933, the securing of such pledges was obviously the greatest concern of many of the Latin-American nations. Their anxiety on this point was repeatedly disclosed at numerous American assemblies.

Between 1933 and 1942 the nations of Pan-America made notable progress in discovering and expanding their common ideals and common interests. In the course of a number of conferences they succeeded in defining the principles of the Pan-American movement. Among these principles, the following were agreed upon as fundamental:

1. Every nation of the Americas has the right to exist as an independent state, to live its own life, to develop its own culture.

2. No American state has the right to intervene in the domestic affairs of another.

3. The American nations will honor their pledges, treaties should not be modified without the consent of all signatory powers

4. Except in the clearest cases of self-defense, force should not be employed in international relations; territorial or other concessions acquired by force will not be recognized.

5. Aggression against one of the independent states of the Americas will be deemed an aggression against them all and will call for immediate consultation.

6. Transfer of the remnants of European empires in America from one non-American power to another will not be permitted.

7. The American nations will co-operate in the suppression of subversive activities of aliens designed to disturb the peace and imperil the security of the Americas.

8. The nations of the Americas will collaborate in the solution of their economic, social, and cultural problems.

The Rio de Janeiro conference of January, 1942, was a consultative assembly called for the purpose of acting upon these principles and pledges. When the representatives of the foreign

offices of the Americas met in the Brazilian capital, twelve Latin-American nations already had taken action in support of the nation which had suffered from attack. Nine of these—Guatemala, Nicaragua, El Salvador, Honduras, Costa Rica, Panama, Cuba, Haiti, and the Dominican Republic—had declared war on the Axis powers and three—Mexico, Venezuela, and Colombia—had broken relations with the Axis powers. The United States and these twelve hoped to persuade the other eight American governments to agree to sever diplomatic relations at once with Japan, Germany, and Italy by means of a Pan-American agreement. Instead, they obtained only a joint resolution reiterating the principle of solidarity and *recommending* the severance of relations by all the American nations. This meant, of course, that the action of the remaining eight would not be joint, and it also meant that the break in relations might not be unanimous. By the end of January, however, all the Latin-American nations had severed relations with the Axis powers or declared war upon them except Argentina and Chile.

Aside from the moral effect of a solid American front, the action sought by the United States and the majority of the Latin-American nations at Rio de Janeiro had three important objectives: (1) the expulsion of Axis diplomatic and consular staffs and the arrest or expulsion of all other propaganda agents; (2) the complete interruption of economic relations between the Americas and the Axis aggressors; and (3) the severance of all communications between the Americas and the Axis. War declarations or even the rupture of diplomatic relations would lead also, in all probability, to the seizure by the Latin-American governments of all Axis properties located in Latin America and the control of such properties by Latin-American administrative boards.

Although the achievements at Rio de Janeiro fell short of the maximum desired by the United States and its Latin-American allies, these achievements were significant. When representatives from nations with memories of bitter grievances against the

United States—nations like Mexico and Colombia, for instance—take their stand with the representatives of the United States and eloquently plead for a solid American front, the scene is no less than thrilling to every devotee of Pan-Americanism. The reluctance of Argentina and Chile was a little disappointing; but, in both instances, the influential factor appears to have been domestic politics. Exciting elections were due in Chile early in February; in Argentina, the government headed by Ramón S. Castillo was said to be out of harmony with the majority of the Argentine people and afraid to take the step the people desired because that was the step advocated by the political opposition. In addition, both Chile and Argentina may have feared retaliatory action by the Axis powers—and it must be admitted that the United States may not have been in a position immediately to shield them against such action. The attitude of the two governments of southern Latin America at Rio de Janeiro need not be interpreted as disclosing fascist tendencies. The Chilean government, certainly, was liberal and democratic; but it was an ad interim government which faced an immediate national election and bitter opposition that would be quick to take advantage of any misfortune which Chile might encounter as the result of a break in relations with Germany and Japan. The Argentine government was reactionary, or at least conservative; but Ramón Castillo was probably interested primarily in retaining power, although he may have been actuated in part by jealousy of the United States and Brazil and by the conviction that the people of his country must, in the long run, depend largely on continental European markets for the sale of cereals and meat.

In view of the enormous and ruthless ambitions of the Axis aggressors, the attitudes of Argentina and Chile at the conference of early 1942 seem unwise from the standpoint of the security of these nations themselves. But what can the United States do with reference to this situation? The suggestion, often made in certain quarters in the years following 1938, to the effect that the United States should begin a crusade for the promotion of democracy

in Latin America seems imprudent. In the first place, the most drastic dictatorships in all Latin America exist in some of the very states which have been most prompt to side with the United States in its war with Japan, Germany, and Italy. In the second place, the unseating of incumbent dictators would result in most cases in the rise of other despots to power unless the United States should dispatch military forces and governors general; and intervention of this type would be likely to arouse a fury in Latin America that would destroy the solidarity it is now so important to maintain and strengthen.

At the end of January, 1942, the alignment of the Latin-American nations with reference to World War II was more favorable to the United States than their alignment during World War I. In 1917-18 only eight of these nations declared war on our enemies and only five other Latin-American nations besides Argentina and Chile remained neutral. These were Mexico, El Salvador, Colombia, Venezuela, and Paraguay—four of them, it will be observed, were located in the Caribbean danger zone, which already had formed a solid front in respect to World War II even before the representatives of the American foreign offices assembled in Rio de Janeiro in January, 1942. Argentina and Chile, the only nations standing aloof from the American alliance early in 1942, already had announced their intention to permit the United States to use their ports as if it were still a neutral nation. Moreover, Argentina and Chile, because of their almost complete economic dependence upon the United States and its allies in the New World and the Old, are sure to enter more fully into the American defensive system as the war proceeds. After the Chilean national elections of February, 1942, were won by the party most devoted to immediate Pan-American collaboration, Chile's break with the Axis powers appeared to be a matter of only a few weeks. Under the new president, Juan Antonio Ríos, the break in relations was finally made early in 1943.

Within the American alignment of early 1942, important measures for closer economic collaboration were promoted at

Rio de Janeiro. The general tendency of these measures was to remove barriers to the flow of goods and labor from one nation to another and to increase the production of war materials while cushioning as much as possible against economic dislocation and suffering resulting therefrom. During the course of the war the industrial capacity of the Americas is likely to increase enormously along with economic interdependence and unity. The Americas are certain to be drawn closer together by the current world catastrophe, provided an invasion of the Western Hemisphere can be warded off or eventually expelled if it should take place.

Postwar prospects for peace and collaboration in the Americas seem bright. The independent nations of the New World have not merely the will to keep the peace among themselves and to co-operate in the interest of all; they are also rapidly developing the institutions for harmonious collaboration. Among these institutions are the Pan American Union (the permanent secretariat); the Pan-American Sanitary Bureau; a number of institutes and special committees to deal with economic, social, and cultural relations, including the interchange of students and teachers; five procedures for settling disputes among the American states, a system of general and special conferences; and provisions for regular consultation among the various foreign offices. For the moment this great movement suffers from a shortage in personnel and in some cases from faulty selection; but these defects can be eliminated by wise statesmanship. The boundary dispute between Peru and Ecuador, a dispute which seems to have been dealt with rather efficiently at Rio de Janeiro early in 1942, is the last important boundary problem in the Americas. Other unsettled international frontiers in the Americas concern the small states of Central America and the Caribbean islands and are not likely to occasion hostilities. Henceforth, a war between or among the American nations hardly seems possible unless some powerful disruptive force should be thrust into the Americas from the outside.

Granted that the integrity of the Americas can be preserved and that the aggressor nations will eventually be defeated—and we must refuse to entertain any other eventuality—what is to be the role of the Americas in the organization and maintenance of the future world order? It is likely that World War II will convince the leaders of the Americas that they must participate in the government of the planet. In spite of the growing economic interdependence of the American nations, they are likely to be convinced of the necessity for markets beyond the confines of the Western Hemisphere. They must come to realize also that the problem of surplus commodities and access to markets and raw materials must be dealt with as a planetary problem if it is to be handled successfully, for American leaders cannot fail to observe the competitive implications arising from the fact that anything which is now produced in the Americas, tropical or temperate, or which may be produced here later, can also be produced in the tropical or temperate zones of other parts of the earth. And they must further realize that wars tend more and more inevitably to spread from the Old World to the New. While regional organizations are feasible and desirable, a more far-reaching organization of both economic and political affairs is necessary because progress in communications and transportation has made isolation utterly impossible. No part of the earth can be safe in an era of advanced technology which has produced the radio, fast steamers, speedy transport and war planes, and the moving fortress (armored tank). Moreover, future wars between various regional blocs would appear to be inevitable in the absence of world institutions for collaboration in behalf of peace and co-operative progress.

This writer therefore looks forward in his more optimistic moments to a future, perhaps not very distant, when a strong and harmonious New World will participate fully in a planetary political and economic organization based in large measure upon the fundamental Pan-American principles already listed in this essay. After World War I, most of the Latin-American nations

were more disposed than was the United States to join a system of universal collaboration. After World War II, it is to be hoped that the United States, chastened by the mistakes of the past, will accompany a procession of Pan-American nations into a worldwide political and economic organization.

The hands of exploiters, tyrants, and gangsters must be removed from the political and economic controls of the world and these controls must be placed and kept in the hands of leaders who respect human rights and human dignity. This is humanity's fundamental problem. After this war shall have been won, our watchword should be "Never again." In the domestic and world orders of the future every advocate of gangster methods should be dealt with speedily by the national and planetary police forces, and such individuals should be charged with the crime of *lèse humanité*. Some of the gangsters might be confined as mad men; others should be promptly executed as criminals. The planetary judicial institutions and police force will not be adequately supported unless they are backed by the material and moral strength of the Americas.

III

The Streit and Catlin Proposals

INCREASINGLY, in view of the unhappy evolution of international relations since 1929, there is evidence that thoughtful men everywhere have come to the realization that the problem of maintaining peace within the family of nations is yet to be solved. The extent of the revival of interest in international problems is not, of course, subject to exact measurement. It has, however, produced in recent years a body of literature on the problems of international relations which, whether or not it bears immediate fruit, can not help but be of real service to those who seek a new and better world order.

One of the most significant patterns in this current literature on international organization may properly be called the federalist pattern. While it is true that political scientists themselves do not always agree as to the nature and the distinctive features of the federal form of governmental organization, there is at least general consensus on the following: a federation implies a constitutionally guaranteed position for both the central and the member governments; it implies also a division of governmental powers by which the central government has ample authority over matters of central or common concern, and the member governments over matters of local concern; it implies, finally, an arrangement of political responsibility by which the elective officers of both the central and member governments are directly responsible to the electorate, and contrariwise, by which both the central and the member governments have the power to act directly upon individuals.¹

Federalism as a principle of international organization is

¹ See below, Chapter V

nothing new. Idealists as well as practical statesmen have long recognized its value as a means of building strength and unity in the governmental structure of large areas, while at the same time preserving local self-government. Few, however, of those favoring the federal form of organization have had the temerity to suggest it as practicable for uniting the entire family of nations in modern times.² The proponents of federation, therefore, while not necessarily rejecting some sort of loose universal or near-universal confederation, insist that this alone is not enough to preserve the peace, and advocate in its stead, or associated with it, some partial federation, which would bring into a real and effective union a significant number of the existing peoples of the world. The result of such federation, it is generally argued by those who advocate it, would be peace, certainly among the members of the federation, and probably vis-à-vis the rest of the world.

The basis upon which such a partial federation is contemplated as practicable varies, of course, depending upon the point of view of the person or persons proposing it. There have been many who have taken the position that geographic propinquity is the most valid basis upon which to erect a federation. Those who have advocated a "United States of Europe" (or of middle Europe) fall into this category.³ Of greater current significance to Americans, however, are the proposals for federation on some sort of ideological basis. Such proposals for an ideological federalism follow two major patterns today. One group holds that only a common tradition and culture offers a satisfactory basis for federation. The most outstanding contemporary of this group is Professor George E. A. Catlin.⁴ The other pattern is that which demands not so much community of cultural tradition as com-

² Norman Thomas is probably the most outstanding exception today. See his *We Have a Future* (Princeton, New Jersey, 1941)

³ Earlier proponents of a "United States of Europe" include the following: Edouard Herriot, *The United States of Europe* (New York, 1930), Sir Arthur Salter, *The United States of Europe* (London, 1933). Of greater current significance are W I Jennings, *A Federation for Western Europe* (New York, 1940), and R W G MacKay, *Federal Europe* (London, 1940)

munity in political institutions and principles as the practicable bond for uniting states in a federation. Its chief proponent today is Clarence K. Streit.⁵ In the current quest for a solution of the problem of war, attention can profitably be turned to the ideas of both these groups of "federalists."

Before turning to their positive views, however, it seems advisable to indicate what these proponents of federalism hold negatively. Both reject as futile the thesis that a league or confederation, universal or otherwise, can be depended upon to preserve international peace. Professor Catlin, without enlarging upon the point, specifically rejects the league ideal:

The goal—reversing Austen Chamberlain's phrase about "a free assembly of sovereign nations"—must be "a sovereign assembly of free nations." We must abolish the unanimity rule which wrecked, first, the old Polish Constitution and, then the Geneva League. We may have to contemplate also direct taxation. With this framework I do not regard even an International Air Force as impossible. There have been successful multi-national professional armies in the past. Sovereignty must, however, clearly inhere in this League. That is the kernel of the matter.⁶

Mr. Streit is very specific and complete in his account of the defects inherent in any league or confederation. Three major charges, he finds, can be brought against the League, or any league, all of them arising from the fundamental fact that a league or a confederation rests upon states and not upon individual men. In the first place, Streit insists, a league must be undemocratic. Because it is built upon states, its equality must be the equality of states; one vote each must be accorded to four million Swiss, forty million French, and four hundred million Chinese, flouting the most elementary democratic principle for the sake of sovereign

⁴ George E. A. Catlin, *Anglo-Saxony and Its Tradition* (New York, 1939). Earlier representatives of this view include the following: Sinclair Kennedy, *The Pan-Angles* (New York, 1914) and John F. Goldsmith, *President Randolph as I Knew Him* (New York, 1935).

⁵ Clarence K. Streit, *Union Now* (New York, 1939) and *Union Now with Britain* (New York, 1941).

⁶ Catlin, *op cit*, 48.

states.⁷ Secondly, Streit points out, our civilization requires constant and rapid political adjustment to meet the changes which arise so rapidly in the modern world environment. But because the state is its unit, even a league of only a few states could act solely through its state governments, by unanimity on all important matters, and then subject to ratification. The net result is insufferable delay and inadequate action, proving the incompetence of any league to act usefully in time.⁸ Finally, and perhaps most important, there is the problem of law enforcement. If the unit of government is the state, then the law can only be enforced against states, with the consequence that, especially in states with dictatorial forms of government, millions of innocent must be punished along with, and more severely than, the guilty few. Furthermore, Streit insists, the procedure which a league is bound to follow in law enforcement inevitably makes such enforcement, at best, hesitating and untrustworthy. A state cannot be arrested, with or without a warrant; trial must precede arrest and punishment, and meanwhile, an offending state can continue for long periods of time to commit its offenses against law and order in the international community. In short, the possibility of successful coercion by a league is in inverse ratio to the need. "As Geneva's experience shows, a league may succeed in minor conflicts, but the stronger the lawbreaker and the worse the crime, the less a league is likely to succeed."⁹

It must be emphasized, however, that even though both these schools of federalist thought reject the league ideal as the whole solution, neither wishes its partial federation, on whatever basis it is erected, to remain partial and exclusive. Further, neither has any objection to the creation of a universal league, *in addition to* its own new federal union. On this point, Professor Catlin offers nothing specific. He does insist, however, that his object is the reverse of trying to draw precise limits. "Rather is it to throw a

⁷ Streit, *Union Now*, 128-30.

⁸ *Ibid*, 136-39.

⁹ Catlin, 152-53

bridge over to other cultures, just as politically I would seek confederation with other units."¹⁰ Catlin does also suggest the possibility of effective collaboration between the Latin and the Anglo-Saxon traditions, the Latin including France, the Iberian Peninsula, and Latin America.¹¹ He goes farther, and insists that all Europe, with fair and equitable treatment (especially for the Germans), can be brought within the orbit of "civilization." Curiously, however, the Far East is completely ignored in his proposals. In any event, just what form this collaboration is to take is nowhere specifically indicated; but it seems fair to presume that what Catlin has in mind is some loose form of league or confederation. Certainly, the non-Anglo-Saxon states are not to be admitted, in any immediate future, into the original federation, which is to be based on common tradition.

Streit's plan of federal union is, in this respect, quite specific. In his original illustrative constitution, the preamble states, as one of the purposes of the constitutional arrangements, the necessity and importance of bringing union to all mankind. More important, it is specifically provided that the new union shall have the sole right to admit states into the union, and that the union congress alone of the agencies of the union government may exercise this right, subject only to the limitation that no new state may be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states concerned.¹² In the revised plan, as it appears in 1941, even more precise guarantees for the expansion of the federation are provided:

The Union shall provide that colonies and Latin American and other outside nations shall be admitted to it as states are admitted to the U. S. A., on a basis of equality with the founders and without being required to give more effective guarantees of democracy and disarmament.

¹⁰ Catlin, *op cit*, 314.

¹¹ *Ibid*, 315-17.

¹² Streit, *Union Now*, 243-49.

ment than the founders themselves give, until the Union shall gradually become the government of all mankind.¹³

Finally, Streit does specifically propose a revised universal league of nations, of which his potential federal union could function as a member, and he insists that there is no reason for his federation to adopt a hostile attitude toward the peoples of Russia or the three Axis powers.¹⁴ Obviously, however, both he and Catlin put their faith in their proposed respective federations as the peace-preserving agencies of the new order. Obviously, too, the Streit plan offers much greater promise than that proposed by Catlin of becoming more rapidly and more completely universal. It is not, therefore, so much liable to the criticism of being designed as a permanently partial and exclusive union to maintain the dominance of a certain group of states.

This same conclusion is borne out by a comparison of the fundamental bases upon which the two proponents of federation propose to build their unions. It is true that both agree upon the utter impossibility and impracticability of creating a universal, or even a near-universal, federation in any conceivable future. As Catlin puts it:

This Sovereign Supra-National Federation, from China to Peru, cannot be achieved at one step, however. An adequate common culture and moral consensus are still lacking. We must proceed where there is power, step by step and regionally.¹⁵

With this conclusion Streit wholeheartedly agrees:

With frustration for mainspring, the pendulum of world political thought has been swinging between the equally impractical extremes of trying to let each nation move as it pleases and trying to get all the nations to move together. The League of Nations and its still more universal disarmament and economic conferences illustrate the universal method. The first and hardest step in organizing the world is

¹³ Streit, *Union Now with Britain*, 6

¹⁴ Streit, *Union Now*, 114-15.

¹⁵ Catlin, *op cit*, 48.

to get agreement on its constitution, and the universal method increases this difficulty (a) by increasing the number upon whose consent agreement depends, and (b) by thus inevitably lowering the average of political culture and experience available to meet the difficulty. Because universality must be the goal of any plan for world government, many think that the more members at the start the better. But one can not advance far when one tries to make the last step the first step, too.¹⁶

But in spite of their agreement as to the impossibility of federation on a universal basis, the two schools represented by Catlin and Streit differ in a very important respect—the basis upon which a beginning, a partial union, can and should be made. Some analysis of their respective views on this point is in order, for this question of the basis of federation is of the utmost significance for any proposed federation.

In the view of Catlin, it appears, the primary menace to the family of nations is not necessarily the threat of international war, though he clearly does not welcome war.¹⁷ Neither is it economic or political maladjustment, though in this field, too, he does admit that much is defective, and much in the way of improvement must be achieved.¹⁸ The major peril, according to his view, is that, whether war comes or not, the "Grand Tradition of Anglo-Saxony" is in danger of destruction and extinction. This "Grand Tradition," as Catlin defines it, is a tradition of

human values, certain values constituting the very norms of civilization, agreed upon by men of insight throughout the centuries. In the current of that tradition, a very specific stream is noticeable, common in general to the Anglo-Saxon peoples, but not *nationalistically* [my italics] limited to them, and influencing thought and manners well beyond their bounds, which stream takes its rise in the sixteenth century and has continued, as detectably consistent and unbroken, to this day. That Anglo-Saxon tradition has certain definite characteristics or notes: humanism or respect for personality, liberty, experimentalism,

¹⁶ Streit, *Union Now*, 86–87

¹⁷ Catlin wrote in 1939, before the outbreak of the present war.

¹⁸ See Catlin, *op cit*, 81–103.

tolerance, accommodation in social method, federalism, democracy, and certain qualities of moralism and of public spirit.¹⁹

The conflicts which turn man against man today are, in Catlin's view, conflicts of ideas. Ideas are more real and influential, he believes, than are individual men; and in the present age, the three master ideas are race, class, and tradition. Unless the last is strong, "we fall prisoners, first in mind, and then, as conscript soldiers, in body too, to these armed doctrines of Race and Class."²⁰ In fact, it seems that war ultimately is inevitable, and that out of it one of these three master ideas must emerge triumphant. "Unless there is an emotion for this free community of ours, more powerful than that aroused in the Marxian for class war, or in the Hitlerian for his race, then these and not we will shape the world's future."²¹ Elsewhere, Catlin expresses the view that no effective compromise or reconciliation between these three master ideas is possible; on the contrary, there is "explicit antagonism."²² It seems therefore clearly indicated that, for Catlin, the primary problem, certainly in any but a very remote future, is not to prevent war, for that is impossible, but to see that the forces of the grand tradition become strong and virile enough to emerge victorious.

Two things are necessary, according to Catlin, if this goal is to be attained. First, and foremost, it is essential that, within the Anglo-Saxon nations, the unique values of their common tradition be reasserted, reclarified, and revindicated. "Our primary need at the moment is to discover and to affirm values which make it worth while to live in these days. We have also to discover values which make it worth while maybe for a second time in a generation to sacrifice ourselves."²³ The rediscovery of the values contained in the Anglo-Saxon tradition must, Catlin insists, come first. It is primarily to the task of expounding the glorious heritage of Anglo-Saxony that he devotes himself in the volume under

¹⁹ *Ibid.*, 111.

²⁰ *Ibid.*

²¹ *Ibid.*, 105.

²² *Ibid.*, 328.

²³ *Ibid.*, 6.

consideration. The roles of Hooker, Milton, Locke, Bacon, Williams, Franklin, Jefferson, Bentham, Lincoln, Mill, Wilson, and many others of Anglo-Saxony in carrying forward the liberal, humanist tradition of Western civilization, are clearly demonstrated.²⁴

A second need, and only a second, if Anglo-Saxony and its tradition are to be saved for civilization, is that it be *organized*; and the organization must take the form of a federation. Obviously of course, the basis of the federation is to be *cultural* community, for it is that and its preservation which is to be the *raison d'être* of the federation itself. With France, Spain, Portugal, and Latin America, even with the greater part of Europe, Catlin finds, "on the common faith in Humanism," a real possibility of collaboration. But this is to be mere collaboration. The basis of the federal union is to be, and to remain, *cultural* community, in terms of the grand tradition of Anglo-Saxony. While it is true that Catlin expresses the hope and the belief that a federal union begun on such a basis as he proposes may eventually become universal, he indicates no practicable way in which this could be done. On the contrary, by implication at least, it would appear that the federation must remain indefinitely partial.

The Streit analysis is quite different. In Streit's view, the primary danger is not one of conflicting ideologies, though he very definitely rejects both fascism and communism. Neither is it economic maladjustment, though here too Streit recognizes that the world is still far from perfection. The fundamental menace to civilization, in his view, is the menace of war, whether arising from Marxist ideology, from fascist ideology, from economic or nationalist rivalry, or from any other conceivable cause. It is war, from whatever source derived, which must be eliminated *first* before any hope can develop of resolving ideological, or economic, or nationalist, or any other conflicts that may arise in the international community. The solution, according to Streit, lies wholly in the political field. The problem of war is

²⁴ *Ibid.*, 111-311.

fundamentally, if not exclusively, a problem of proper political organization. "Economics has been having its inning lately, science almost monopolized the scene in Darwin's day, but now it is again the turn of political science as in 1787."²⁵ Streit's rejection of the league idea of universalism, and his reasons therefor have already been indicated. National sovereignty too he rejects, and comes logically to the federal principle as alone available and practicable. But federalism on what basis? Streit rejects the ideal of restricting membership on the basis of geographic propinquity, or of great armed power, on the ground that such a basis keeps the membership *forever* restricted, and excludes at the start the possibility of growth into universal or near-universal government.²⁶ For the same reason, Streit specifically rejects community of language as the basis.²⁷ As a result, in 1939 he opposed vigorously the suggestion that the federation begin with the English-speaking peoples. By 1941, as will be indicated later, he has become willing to support a federation of the English-speaking peoples, but not because of community of language.

There remains the method which Streit calls "the nucleus method." It alone, he argues, combines the truth in the restricted method with the truth in the universal method, and combines them in their common-sense order. "It alone seeks to achieve world government through the normal principle of growth, through taking care at the start to select the best seed, and then planting it well and cultivating it."²⁸ Why not a nucleus of autocracies? Streit rejects this on the ground that they are not strong enough in the first place, and secondly because their basic political theory is opposed to organizing law and order in the world except by the method of one conquering all. In other words, dictatorial governments could organize inter-state government only on a basis of force. Such governments as Germany, Italy, or Japan "could not bring the Americans, the British, the French and other

²⁵ Streit, *Union Now with Britain*, 180.

²⁶ Streit, *Union Now*, 87.

²⁷ *Ibid.*, 105-106.

²⁸ *Ibid.*, 87.

democratic peoples under such a government except by force.”²⁹ But the opposite conception, of democratic peoples inducing the Germans, the Italians, and the Japanese to enter a federal union does not seem so ridiculous. A union on the basis of autocratic political institutions is therefore out of the question. Why not a nucleus of both democracies and autocracies? “We organize a tug of war, not a government, when we arrange for those who believe that government is made for the people to pull together with those who believe the opposite.”³⁰ Thus, the union must be composed exclusively of democracies:

To start to make a world government presupposes a belief in the democratic principle that government is made by the people. It is no accident that the desire for world law and order is strongest among the democratic peoples. It is natural that the democrats should be the ones who want world government, that they should insist on its being democratic, and that they should begin by organizing it among themselves. Moreover, one can hope for the existing autocracies to enter eventually a democratic world government without war. . . . To organize world government (on a federal basis) soundly, we must turn to the peoples most advanced and experienced politically, and this too turns us to the democracies. Peoples that accept dictatorships must be classified, politically, among the immature, or retarded, or inexperienced, high as they may rank otherwise. . . . While men accept being governed as children they must be rated as immature.³¹

It is because of these convictions that the Streit plan, as originally presented, proposed the inclusion of the fifteen most advanced democratic states of 1939 in his federal union: the United States, the United Kingdom, France, Australia, Belgium, Canada, Denmark, Finland, the Netherlands, Eire, New Zealand, Norway, Sweden, Switzerland, and the Union of South Africa.³² Only by reason of the destruction or encirclement by nazi conquest of eight of these democracies, does Streit, in his revised

²⁹ *Ibid.*, 88.

³⁰ *Ibid.*

³¹ *Ibid.*

³² See illustrative constitution in *ibid.*, 245.

proposals, suggest that the original nucleus of the federation be restricted to the United States and the six members of the British commonwealth of nations. The important point, in the Streit view, is not cultural community, but common experience in, and common devotion to, democratic government. It is true that Streit does admit the importance of such other factors as geographic propinquity—the bulk of his nucleus of fifteen he calls North Atlantic states; cultural homogeneity—Streit says that his nuclear fifteen have all proceeded from the same basic Greek-Roman-Hebrew mixture grafted on the same dominant Teutonic-Celtic stock; or economic interest—Streit finds most of the foreign commerce of the nuclear fifteen is done with one another. But the all-important factor, as he insists, is that all fifteen peoples have common concepts of the state and of government; all are devoted to free speech, press, association and conscience, and to individual freedom of movement and security from arbitrary acts of government. These are, as Senator Borah once said, “the very life-blood of democracy.” Finally, as a matter of fact, in 1939, Streit specifically rejected a federation limited to the English-speaking peoples,³³ and accepted it in 1941 only because of political exigencies. Even then, in order to make certain that there be no misunderstanding, he provides expressly that the union, now to begin on the Anglo-American basis, pledge itself to admit, as soon as normal conditions are restored, “those European peoples who have long governed themselves democratically, or who prove their readiness for membership by the way in which they restore at home their own free rights as men.”³⁴ It should be noted that Streit’s argument for building the federation on a foundation of democracy is not accepted by all federalists.³⁵ The major objection is not one of logic, but of expediency; it rests upon the belief that, while a federation such as Streit proposes,

³³ *Ibid*, 105–106

³⁴ Streit, *Union Now with Britain*, 6.

³⁵ See M. Channing-Pearce, ed., *Federal Union, A Symposium* (London, 1940), 259. See also W. I. Jennings, *A Federation for Western Europe* (New York, 1940), Chap. I.

including the United States, would be a very satisfactory solution, the United States cannot by any process be induced to participate. Thus these objectors are willing to support an arrangement admittedly second-best, on the ground that it is the best attainable now. In any event, by way of summary of this point, it does appear that the Catlin basis for federation is more open to the charge of snobbish exclusiveness, even from other democratic states, than the Streit plan, and that Streit's arguments for basing the union on common democratic institutions have yet to be refuted on any ground other than that of temporary expediency.

With respect to the organizational details of the federation, the Streit plan is far more complete than that of Catlin. Possibly the former is too complete; it has been criticized as being too much in the nature of a "blueprint." Whether or not this be a legitimate criticism, it remains true that Catlin nowhere indicates, as Streit does, precisely how his proposed federation is to be brought into being, or what governmental machinery it is to have. Catlin does indicate clearly that his proposed union is to be a federation.³⁶ He also suggests that, from his point of view, at least, it would be adequate to include as original members of the federation "the Anglo-Saxon Republic of the western Atlantic, centered at Washington, and the Anglo-Saxon Commonwealth of the eastern Atlantic, centered in London."³⁷ As for non-self-governing colonies and territories, while it is true that Catlin suggests in general terms a high degree of planning and increased autonomy, nowhere does he indicate the steps necessary to realize this goal.³⁸ With respect to the economic problem, again, though Catlin does favor free trade within his new federation,³⁹ he offers no precise program for securing it.

On the contrary, Streit offers a plan which is detailed to a very high degree. His proposed constitution is based largely upon

³⁶ Catlin, *op cit.*, 48.

³⁷ *Ibid*, 55-56.

³⁸ *Ibid*, 71-76.

³⁹ *Ibid*, 83.

the American federal Constitution.⁴⁰ Only a brief digest of its contents can be presented here. Article I contains the bill of rights, which is substantially identical with the American constitutional provisions safeguarding the position of individuals. Article II defines union citizenship and union territory. All persons born or naturalized in the self-governing states of the union are to be its citizens; and all above twenty-one, excepting only the mentally deficient and the criminals, are entitled to vote in union elections. The territory of the union is to include the self-governing states which form its original membership (the fifteen democracies above named, in the 1939 plan, and the United States and the British Commonwealth in the 1941 version). Furthermore, it is provided that the non-self-governing territory of these states and of all states admitted later to the union is to be transferred to the union, while it is being prepared for self-government and admission to the union.

Article III is concerned with the powers of the union and of the states. The list of powers to be conferred upon the former resembles very closely that in the American Constitution granting powers to the central government. It includes, as the most essential, the power to lay and collect taxes of all kinds, to conduct all foreign relations, to provide for the union's defense, by raising and controlling land, sea, and air forces, to regulate interstate and foreign commerce, to coin and issue money, to own, operate, or control the postal service and all other interstate communication services, to grant citizenship, and to admit new states into the union. Forbidden to the union are the powers to establish a union religion, to grant titles, to levy any tax or duty on interstate commerce, or to show any preference in commercial relations to any one state over others. It is also provided that all powers not expressly given to the union nor forbidden to the states are reserved to the states or to the people. Every state is guaranteed a democratic form of government, and security against invasion or domestic violence. Each state is further entitled to maintain a

⁴⁰ Streit, *Union Now*, 243-51. See also *Union Now with Britain*, 214-27.

militia and a police force, but may engage in war only if invaded or if in such imminent danger as to admit no delay. States may not, without union consent, raise any barriers to interstate commerce or communications, or enter into any agreements with other states or foreign states. The extradition and the full faith and credit clauses of the United States Constitution are reproduced almost verbatim.

Article IV provides for the organization of the union legislature. In the original draft constitution, it is to be bicameral, with the lower house composed of representatives, elected for three-year terms, and apportioned among the states on a basis of population, but the number may not exceed one representative for each million inhabitants. The upper house, also to be popularly elected, for eight-year terms, is to consist of two members from each member state regardless of population, plus two additional ones for each twenty-five million population or major fraction thereof, beyond the first twenty-five million. In the revised plan, Streit proposes as a provisional alternative, because of the war, a unicameral congress, with each state having one representative regardless of population, and one additional for each five million *self-governing* inhabitants. Originally, these union representatives, according to the provisional plan, may be chosen by the respective national legislatures, but only for a matter of months, after which popular election is to come into full operation.

Article V creates an executive. It is to be a board of five, three elected directly by the union voters, and one each by the union house and the union senate. It may act in all normal cases by majority. It is to be the commander-in-chief of the armed forces and is to possess the other powers usual in a chief executive. A peculiar provision prescribes that the board shall delegate all executive powers not expressly retained by it under the constitution to a premier, who shall exercise them with the help of a cabinet of his choice, until he loses the confidence of house or senate, whereupon the board shall delegate these powers to an-

other premier. This appears to be an interesting, though not well-considered attempt to combine the merits of the presidential and the parliamentary forms of democratic government. The revised plan of 1941 offers various other alternatives for the provisional organization of the executive in the new union, with Streit apparently favoring the creation of a dual chief executive, with each of the two functioning as chairman, and casting two votes to the other's one, in alternate years.

Article VI deals with the judicial power of the union. Its grant of jurisdiction to the union judiciary is substantially the same as that in the United States Constitution. Specifically, it includes controversies between states, and between citizens of different states. Provision is made for a supreme court, with the union congress having the power to create such inferior courts as it deems necessary.

Article VII is the amending article; it differs considerably from its counterpart in the United States Constitution. Amendments may be initiated by a two-thirds majority in both houses of the congress, with approval by three-fifths of the board, or by a two-thirds majority in either house of congress, with unanimous approval by the board, or by a constitutional convention called by law, or by petitions signed by at least one-fourth of the voters in one-half of the states. Only one method of ratification, however is provided: majority vote of the entire electorate.

Article VIII contains certain miscellaneous provisions, the most important of which prescribes that the union constitution and laws and treaties made in pursuance thereof shall be the supreme law of the land.

Finally, Article IX provides that "the ratification of this Constitution by the people of the United States of America, the United Kingdom and France, or of *any* ten States, shall suffice to establish it among them." In the revised plan of 1941, this has been altered to read "the ratification of this Constitution by the people of the United States and the United Kingdom *or* Canada shall suffice to establish it between them."

Evidently, the Streit plan includes an answer of one sort or another for practically every question which the doubter might raise. Even the question of the constitutionality of federal union, under the United States Constitution, is raised and discussed.⁴¹ Possibly so complete a drawing of the details of organization and distribution of governmental powers is a handicap rather than an advantage, for the reason that it reduces flexibility and adaptability. Whether or not such a criticism is justified, it remains true that Mr. Streit has succeeded in bringing the problem of federal union down from the fuzzy and cloudy atmosphere of generalization into the area of precise and practical discussion; and that, in the present juncture, appears more an advantage than a disadvantage.

One point remains, perhaps the most important of all: Could the federations proposed by Catlin and Streit achieve their basic objectives? Could they preserve the peace? With reference to Professor Catlin's proposal, it is to be remembered that his major concern was not peace, but the defense and preservation of the Anglo-Saxon tradition, and that the formation of the Anglo-Saxon federation was to be a means to this end. Nowhere, therefore, does Catlin express a conviction that war might be prevented by the creation of a federal union according to his plan. But he does express, repeatedly, his certainty that such a federation, vitalized in all its parts by a keen awareness of, and devotion to, the great civilizing tradition of which these parts are the chief carriers, could never be conquered. One quotation will serve here:

In our Atlantic civilization, if the Anglo-Saxon Republic of the western Atlantic, centered in Washington, and the Anglo-Saxon Commonwealth of the eastern Atlantic, centered in London, can stand together, the decisive responsibility for world affairs becomes theirs. Their advantage in area, manpower, and wealth, including the raw materials essential in war, is so immense as to be invincible *when organized*—so decisive as to make their responsibility for peace in the world, for liberty and democracy, theirs and unquestionably theirs, on

⁴¹ Streit, *Union Now with Britain*, 167-74

their shoulders and none other's. Overwhelmingly they still have power if they will organize it.⁴²

In his original proposals, Streit displays an equal degree of certainty that a federal union, organized as he desires, would achieve its basic objective, the preservation of world peace. Very practically, Streit insists that even a nuclear federation must, to enforce the peace in its formative years, have material power. And because of the overwhelming superiority of his proposed union over any possible combination of enemies, in all important respects, Streit concludes that "these fifteen democracies, once united, are within human limits, almighty on this planet."⁴³ The democracies together, he insists, control the world in raw materials, in manufacturing, transportation, finance and trade; hence the responsibility for all the difficulties of the post-World-War period—economic, political, financial—must be laid upon the democracies, and not upon the autocracies. The former have all the resources, but simply have not utilized properly their power and their responsibility. As Streit saw it, therefore, the problem (in 1939) of ending the chaos and organizing the world for peace and progress was nothing more nor less than the problem of organizing these few democracies.

Between 1939 and 1943, however, the world scene has been fundamentally changed. Federal union of the democracies was not realized in time, and war has once again broken loose in the world, with the result that by 1943, eight of the fifteen democracies have been swallowed or surrounded by armed nazi might. Streit recognizes that, in the present state of affairs, there can be no hope of ever building a true federation unless first the forces of autocracy and aggression are defeated. The primary and immediate task, then, of the remaining democracies, is to win the war. For this object, Streit insists, there is no better arrangement than federation, for nothing less than federation (of the English-speaking peoples originally), holding out as it does the possibility

⁴² Catlin, *op. cit.*, 55-56

⁴³ Streit, *Union Now*, 104.

of admission into the union at the end of the war of all peoples who re-establish democratic government, will so easily develop the resistance of the democratically minded in the conquered countries. Likewise, nothing less than federation, which is a permanent union of all the resources of the British and American empires against conquest and autocracy (not against any people), will so easily weaken morale in the autocratic countries themselves. No other arrangement, therefore, can lead to the defeat of the forces of autocracy and of aggression, with less cost in men and money, than union now with Britain. The alternative of alliance is fully considered, and explicitly rejected.⁴⁴

Even under such conditions, however, Streit does not lose sight of his fundamental and ultimate objective, the prevention of future wars. For this, he argues, it is essential that the peace as well as the war be won; that the terms of the treaties of peace be drawn in a just and equitable settlement for all peoples, conquered as well as conquering. For this ultimate objective, as well as for the immediate, Streit finds union now with Britain the best alternative. With representation in the union congress based on population, the United States would have approximately two-thirds of the voting power; and Streit argues, with obvious logic, that a peace made to the satisfaction of the people of the United States is far more apt to be just and equitable than one made without their participation or consent. He does not, however, stop here in his attempt to insure that the peace as well as the war be won. It is expressly provided that:

The Union shall offer at once to establish normal peaceful relations with all outside nations. As regards those now at war with any of its members it shall offer to do this on a basis of no annexations or occupations of foreign territory, no indemnities or reparations except the return of returnable property, and the settlement by arbitration, conciliation or judicial action of all disputes that led to this war, as well as all subsequent questions that cannot be settled by direct negotiation.⁴⁵

⁴⁴ Streit, *Union Now with Britain*, 33-38.

⁴⁵ *Ibid.*, 6

Surely, it would seem, more complete precautions against the drawing up of an inequitable peace are impossible. In fact, no one has thus far offered any objection to the Streit plan in this respect. The greater part of the opposition to "Union Now" centers around the "now." Why not wait until the war ends, and then use the weight and moral force of the United States to build a real and effective federation at the peace conference? To this argument Streit offered two answers. In the first place, he believed, whatever the fate of federation, that the possibility of the United States' not becoming actually involved in this war was already very slim. In other words, by reason of the commitments already undertaken by the United States government, with the full approval of its people, it was already almost inevitable that the United States would eventually enter the war fully. This being so, Streit argued, why not enter on the only right basis, on the basis best designed to win both the war and the peace, at the least cost in men and treasure?⁴⁶ In the second place, whether or not the United States entered the war as a belligerent, Streit believed that to wait until the peace conference to create a democratic federation is almost inevitably to wait until it is too late. His argument here is based upon the course of events in 1918-19. "When the war is won, at far greater cost than we needed to pay, then we the people will slump as we did in 1919."⁴⁷ The British will hold another "khaki" election, the Americans will be eager for a "return to normalcy," all the partisan politics pent up during the war will be released, the peace treaty will be "botched" again, "and so to war again a few years later."⁴⁸

The Streit plan, then, in the current state of affairs, involves the immediate formation of a federal union among the English-speaking peoples, as the best and cheapest way to win the war and save the peace. It involves also the early expansion, after the war, to include those European peoples who have long had democratic

⁴⁶ Streit, *Union Now with Britain*, 74.

⁴⁷ *Ibid.*, 48

⁴⁸ *Ibid.*, 49.

institutions, as well as those who prove their readiness for membership by the way in which they restore at home their own rights as free men. In the more long-range future, it is gradually to be opened to all peoples who are willing to accept its basic conditions: democratic institutions and the surrender of national sovereignty in the interests of peace and order.

These are the essentials of the two most widely discussed current proposals for immediate federation on an ideological basis. That they differ in many important respects has been made clear. To both, many sincere and practical objections have been made.⁴⁹ There are, besides, many others who, while agreeing with Catlin and Streit on the principle of international federation, disagree with either or both of them as to the details of organization.⁵⁰

It is no part of the purpose of this chapter to analyze and evaluate the objections, whether in principle or in detail, which have been raised against the Catlin or the Streit plan. Admitting the sincerity and in many cases the validity of the objections, it remains true that, in the quest for a solution of the problem of war by international federation, the proposals of these two students of international relations cannot be ignored. On the contrary, it would appear, from the study and discussion which their ideas have already evoked, and from the wide support which they have won, that no more timely or practicable basis for consideration of the whole subject of international federalism can be secured at the present time.

⁴⁹ The opposition viewpoint has thus far confined itself largely to expression in periodical and pamphlet form, but it has already attained large proportions. See *Union Now Headquarters Bulletin*, No. 21 (August 13, 1941), for a list of magazine and newspaper articles appearing in 1941, both for and against the Streit plan. Two important books have also appeared. D. N. Pritt, M. P., *Federal Illusion* (London, 1940), and Congressman Stephen A. Day, *We Must Save the Republic* (New York, 1941).

⁵⁰ See especially Lionel Curtis, *Civitas Dei* (Oxford, 1934, 1937), Vol. III, his *World Order* (Oxford, 1939), and his *Decision* (Oxford, 1941). See also M. Channing-Pearce, ed., *op cit*. It should also be noted that the program of the Federal Unionists in the United Kingdom differs in several details from that of Federal Union, Inc., the organization which is promoting the Streit plan in the United States.

IV

Plans of Federation

THE League of Nations was heralded at its birth as an international organization endowed with adequate powers to preserve the peace and to develop adequate administrative machinery to solve inter-governmental problems. Some viewed it as a world federation. The United States Senate, when refusing to permit American membership, feared the League was a super-state. As the League operated in the postwar years it became increasingly clear that it was not a world state; that its member states had surrendered none of their sovereignty; that it was, in reality, not a government but rather a system of regularized diplomatic conferences. Professor Alfred Zimmern has pointed out that the French *Société* was a much more accurate appellation than the English *League*.

To many the League was a disappointment from the first. They had hoped for some form of international police machinery sufficiently strong to afford protection to all states.

At the Paris Peace Conference, Clemenceau and other French leaders insisted that there must be included in the peace settlement a guarantee which would protect France and Europe against German attack. When the Security Pact of 1919 was rejected by the United States and Great Britain, the French government, persisting in its views, was forced to pursue its ends by different means. Throughout the 1920's, France pushed her program of collective security through several stages. Thus, there was developed the French "bloc" composed of the "Petite Entente" supplemented by the Polish-French Alliance and the Franco-Russian Alliance.

While the French government sought political commitments looking toward security as a needed adjunct to the League, private French publicists and groups were striving to secure a general overhauling of the League itself. Some of the latter directed their activities toward the substitution of a federal union for the loose diplomatic organization represented by the League of Nations.

The most significant of the early movements was that launched by Count Coudenhove-Kalergi in Vienna in 1922. In its essence this movement was designed to achieve a Pan-European union. To foster his plan the author organized a Pan-European Association, and published a program for a European Union.¹

In 1925, M. Herriot, then Premier of France, endorsed the Pan-European movement, and became an active participant. A year later, M. Aristide Briand became an ardent supporter. The basic principles of the Pan-European movement were incorporated by him in a proposal which he submitted, on behalf of the French government, to the League of Nations Assembly.

Both Herriot and Briand reflected the standing French desire for security, but they represented, as well, a marked reaction against the strong nationalist policy of Raymond Poincaré. Poincaré's invasion of the Ruhr had produced neither security nor economic advantage. By inflicting "useless sufferings and ruin on the Germans, it aggravated their hatred of the Versailles settlement, delayed European pacification for two years, antagonized opinion in Britain and elsewhere."²

The Ruhr occupation and its results shattered the dreams of many who believed that the League of Nations would become a political union adequate to solve postwar international problems. It demonstrated the futility of violence and produced a strong public reaction. The change of public opinion was both reflected and fostered by Herriot and Briand. Since both premiers were politicians, they were loath to out-distance French public opinion.

¹ *Pan-Europa* (New York, Wein-Leipzig, 1926)

² P. E. Cobbett, *Post-War Worlds* (New York, 1942), 19

They were careful not to burden their proposals with minute details which might easily be attacked. They relied upon broad general principles.

Briand's proposal³ was circulated among the foreign offices of the European states after it had received consideration by the League of Nations Assembly. Strictly speaking, the plan was not a constitution for a federal union, but rather a series of suggestions to be worked out and developed in future "constituent conferences." It envisaged a federal union in which a "European conference," composed of representatives of all European members of the League of Nations would be the directing body. A smaller group, consisting of a limited number of the members of the conference, was to form the "executive body." The powers of neither body were defined in the plan itself, but were to be determined at future meetings of the European conference. The "Memorandum" reserved to the states "full and complete independence" and sovereignty.

Briand seems to have envisaged a federal union built upon the foundation established in the Locarno pacts. The system was to evolve through a series of agreements, of which Locarno was to be the first.

When viewed in the light of problems of the period, the Briand proposal, despite the attention it received, was quite unsatisfactory. It postponed the solution of, or ignored, most of the difficulties confronting Europe. Moreover, it failed to face squarely the problems inherent in political union.

The reaction to Briand's proposal was mixed. A few of the governments enthusiastically endorsed the memorandum. These were, for the most part, satellites of France. Most of the other governments were skeptical and advised caution; a few were critical and even hostile. The chief weakness of the plan was its insistence upon the preservation of state sovereignty, which made it an unsatisfactory straddle. It did not please those who wanted

³ *Memorandum on the Organization of a System of European Federal Union* (1930).

a strong federal union; on the other hand, it was too international to satisfy the more ardent nationalists.

Briand's desire to keep the proposed union within the framework of the League of Nations was another inherent weakness. Since neither Russia nor Turkey was a member of the League, both were excluded from membership in the proposed union.

There was good *a priori* justification, however, for Briand's attempt to work out a union within the framework of the League. By that means he hoped not to destroy and thus have to build anew, but rather to evolve a union out of the League itself, keeping the gains that had been made. When the proposal for the Austro-German Union reached the League of Nations, creating a bitter struggle, Briand's proposal was forgotten.

The discussion of the Briand proposal was by no means lost effort. Clarence Streit, an American correspondent at Geneva, watched the momentous events incident to the decline of the League, and formulated his ideas regarding federal union. These ideas were published first in France, later in the United States.⁴

Lionel Curtis also conceived a plan.⁵ Curtis believed that the League had failed because the states reserved to themselves their traditional sovereignty and because peoples clung to their particular nationalisms. He insisted that a world government must be given all power necessary to deal with those issues which affect more than one national state. He felt that such power could be derived only from the citizens of the several states and not from the governments thereof. His criticism of the League was based upon the failure of its member states to surrender to the League authority over their respective nationals.

It was Curtis's contention that political wisdom has in the past been acquired through actual operation of free institutions. For that reason, he proposed that a small federal state be organized to demonstrate the advantages of his plan. He proposed

⁴ Clarence Streit, *Union Now* (New York, Harpers and Brothers, 1939), and *Union Now with Britain* (New York, Harpers and Brothers, 1941)

⁵ *Civitas Dei* (London, Oxford University Press, 1938)

that Great Britain, Australia, and New Zealand be formed into such a federal union. These states were selected because they had the same language, similar institutions, a common heritage, and had developed to a high degree the art of self-government. It was Curtis's hope that the citizens of these commonwealths could develop loyalty to the greater state.

To a union legislature Curtis proposed to give power to lay and collect taxes from the nationals of the three commonwealths. The union government was to have direct contact with and to operate directly on the individual and not through the commonwealth governments. Given two generations of voters and taxpayers, the union would command the loyalty of the people, and through experience the people would come to support the greater state. As the union grew in influence, other commonwealths, due to their geographical location or the development of common interests, would seek membership in the union.

Belgium, Holland, and the Scandinavian states were expected to be the first non-British commonwealths to join. The federation would be open to all who might wish to become members, when their own development and the wishes of their citizens permitted. Curtis was looking toward the time when, through such evolution, would come a universal community which he called the "Commonwealth of God."

To demonstrate the feasibility of such a development, Curtis relied upon a broad survey of political history, pointing that the self-governing commonwealth, as it now exists, is a product of long evolution. It began with the smaller communities, which in turn were merged into larger units, which in turn were federated into national states. Political history, he believed, pointed inevitably toward larger communities. Only the growth of nationalism had prevented the reaching of the ultimate goal of the universal community. He, therefore, consciously planned to break down the sovereignty of the national states, and to supplant nationalism by a loyalty to the larger community.

Clarence Streit, who shares with Curtis the belief that the

world federal state can be achieved only through evolutionary means, is the author of a widely published plan which is discussed elsewhere in this volume.

H. G. Wells, in his *New World Order*, pointed out that many of these plans failed to recognize the fact that the history of federations showed that they could not tolerate important social or economic differences in the areas to be federated. He insisted that the manifold difficulties involved in federation were not faced by the authors of the various plans.

Harold Nicholson, in his volume, *Why Britain is at War*, submitted his draft of a constitution, as did also Sir William Beveridge, in his paper, "Peace by Federation." Perhaps the most detailed recent proposal is that of W. Ivor Jennings,⁶ which was, in fact, the result of extended discussions among a group of "federal unionists" in Britain. His volume was another attempt to demonstrate the feasibility of federal union. Written in a period of war, the book proposed the building of a union upon that already achieved by the European states, presently engaged in fighting the Axis. Jennings proposed to start with a European federation and to build it into a world union. The plan was essentially an elaboration of the Streit plan amended to fit a Europe engaged in war. Aside from changing the original membership and the basis for starting the union, Jennings did little violence to Clarence Streit's program.

The idea of regional unions was endorsed by Raymond Leslie Buell⁷ and Alfred M. Bingham.⁸ Buell's plan envisages a number of regional units, which might be federated into a world union. But he is quite insistent upon the necessity of the region as the *sine qua non* of union. This same point is stressed with even greater fervor by Ely Culbertson.⁹

George Catlin¹⁰ has proposed that the world union begin

⁶ *A Federation for Western Europe* (New York, Macmillan, 1940)

⁷ *Isolated America* (New York, Alfred A. Knopf, 1940)

⁸ *The United States of Europe* (New York, Duell, Sloan and Pierce, 1940).

⁹ *World Federation Plan* (New York, Garden City Publishing Company, 1943).

¹⁰ *Anglo-Saxony* (New York, Macmillan, 1940).

with a federation of the United States and Great Britain. His system stems from a belief that this union might be easily achieved and that it might provide the basic impulse for federation which would become world-wide by the addition of other states in due time. Graeme K. Howard¹¹ has pointed out the necessity to a world union of the presence within it of the United States.

Whether the plans for union begin with the uniting of all of the democracies or of Britain and the United States, or of the European states alone, they envisage sooner or later a world union. Some would divide the world state into regional unions, others would avoid the region as a unit.

All agree, however, that union can be achieved only if the private individual is made the unit upon which the union is to operate. The concept of state sovereignty must be supplanted by a loyalty to the greater community—the union. As long as the national state remains a sovereign unit, anarchy in international relations must prevail. All the recently published plans have faced this fundamental issue. There is a general recognition that for any union to exist and solve the problems which will confront it, its legislative branch must have power to operate directly on and through individual constituents. The key to union then is the changing of the basic conception from a world organization which operates only on sovereign states to a world government which operates on individual citizens. It presupposes that the government of the union shall have the power of taxation, the power of spending money in the interests of the people. The fiscal powers must be broad enough to cover all matters within the scope of the union itself.

A second characteristic common to the various schemes is the recognition that the union must be based upon a membership of states with common characteristics. The characteristics vary with the plans. Territorial propinquity of the members is emphasized by some as being necessary to the success of union. Common language, traditions, heritage, culture, race—all, in turn, are

¹¹ *America and a New World Order* (New York, Charles Scribner's Sons, 1940).

pointed out as desiderata. The democratic idea is thought by some to be the only basis upon which a broader union might be built. While there is no agreement as to which basis should be the ideal one, it is agreed by all that the union must be based on natural considerations. This is brought out strongly in the attempts to show that historical evolution tends to point inevitably in the direction of the union.

A third general principle common to the plans of union is the assumption that, if a beginning can be made, experience will provide a force of tremendous power in welding the separate pieces into one whole.

While all stress the necessity of experience, few see that the opportunity for acquiring that experience can be had in wartime. Clarence Streit, in his *Union Now with Britain*, is an exception.

The organization for war purposes during World War I proved invaluable in laying the foundations for many of the postwar technical organizations that became a part of the League of Nations—the Secretariat. The war provided trained leaders who presided over such technical units in the postwar period. It should be noted that it was in the field of administration and through its technical organizations that the League did meet the challenge. Many functions are still being performed by the Secretariat today, even though the League of Nations, as a political unit, is defunct.

If experience is a necessary factor in making a postwar union successful, why not avail ourselves of the opportunity to gain that experience during the present war period? Faced with the serious challenge of totalitarian invasion, the western democracies found a common cause in a fight for survival. That common cause can lead, and in fact, it has led, to a degree of federation. In the crusade which is World War II, one finds present many of the factors that, given free play, would make for successful union. The Allies are fighting for their existence against a common foe. This was true of the thirteen colonies during the American Revolution. The Allies have a common opposition to a totalitarian ideology.

This common opposition could and should be translated into a union built upon the concept of democracy.

When the Prime Minister of Great Britain and the President of the United States on August 14, 1941, promulgated the Atlantic Charter, they provided the ideological basis for union. When they promoted, in January of 1942, the signing of the United Nations Agreement, they actually sketched a rough outline of union. The "United Nations" was created, however, for purposes of war. Within its broad outlines there might well be built administrative machinery for the achievement of the union purpose. Better still, if the outline written in January, 1942, were filled in, it would be a constitution of a federal union. Moreover, as an administrative agency, the United Nations group is an international agency which might be a means of affording to the national states the much needed experience of working together within a federal union.

In the history of American federalism, union preceded the Constitution. The Streit adherents have under-emphasized this fact. It was the Revolutionary War which produced the union of the thirteen colonies. They joined together in a common war against the mother country even before they announced they were independent of England. That union was continued under the Continental Congress, and finally was formalized in the Articles of Confederation. Prior to the drafting of the Constitution of the United States, the people had had fifteen years of experience in union. Perhaps the most valuable part of that experience had been gained in conducting a war. The naming of Washington as Commander-in-Chief, the appointing of a "Board of War," were steps toward union taken by the Continental Congress, even as was the creation of the Congress itself.

Utilizing Streit's method of historical analogy, we can say that the joining together of twenty-six national states in the common effort of defeating the Axis might be the first step in the achieving of union. If states can join together in war, might not the federation so achieved be continued in the peacetime? Such

experience might provide the beginnings of the evolution, so many believe, necessary in the growth of federation and its emergence in union.

It is advantageous at this point to consider how far federalization has been achieved during World War II.

The United Nations Agreement binds the states to the common objective of destroying the Axis threat and commits each of the states engaged in that endeavor to a continuance of the struggle to its successful conclusion and to no separate peace. The United Nations Agreement envisages twenty-six states united in a common endeavor against a common enemy.

The exigencies of the war have necessitated the establishment of a mechanism through which the United Nations might act jointly. In some cases, this machinery marks a significant step in the formation of union. Michael Straight¹² has pointed out three significant gains. First, there has occurred a transfer of "relationship between peoples away from a centralized diplomatic and on to a decentralized technical basis." By this he means that, for purposes of conducting a war, technicians from the several states meet as technicians practicing their trade rather than operating through regular diplomatic channels. A second gain has been the establishment of the combined boards as instruments through which the United Nations can function. The successful operation of the Combined Food Board and the Combined Raw Materials Board demonstrates that they are something more than names for conferences of national administrations.

Straight believes that the combined boards are making progress toward working out a technique of determining where authority lies. This is of the utmost importance in the development of a world state. In the establishment of a single command in the field, the United Nations group has made progress toward real federation. While there are many commands in any one theatre, the responsibility for all operations is centralized in one command, and over all are the Combined Chiefs of Staff.

¹² "First Year of the United Nations," *Free World*, Vol V, No 2 (February, 1943), 103-108

These gains are of great significance. When independent states are willing to place their troops under one commander, an important step toward union has been taken. The same may be said when the Combined Food Board allocates foodstuffs on the basis of need to the nations fighting the Axis and actually follows through. But from such steps too sweeping generalizations should not be drawn. Substantially the same steps were taken in World War I. An Allied generalissimo, an Inter-Allied Shipping Control, and many other agencies functioned effectively during the war, but did not result in federation of a lasting nature.

The United Nations effort has not as yet resulted in federation. The machinery patently has failed to achieve any unified strategy. Our theatres of operations have been divided. The Pacific is assigned to the United States. Britain has regarded the defense of empire as her responsibility. Russia has given to the United Nations no review of her war effort. One cannot claim any lessening of the degree of national sovereignty resulting from the operations of the Combined Chiefs of Staff.

A more important criticism arises from the fact that all of the combined boards are Anglo-American rather than United Nations boards. Both Russia and China, as well as the other state members of the United Nations, are outside the combined boards system. No doubt this situation is necessary. It is probable that too large a body would prevent action necessary to the conduct of the war. However, the gravity of the weakness of the system must be fully apparent.

The Combined Raw Materials Board has been forced to allocate the United Nations stockpile of vital and strategic materials. Most of these commodities come from the British Empire or the United States. When their allocation is made by the United States and the United Kingdom, acting jointly, such action leads to an efficient distribution for war purposes perhaps, but it does not create a United Nations psychology. Both China and Russia feel they are being by-passed and that their needs are not being recognized. The Combined Food Board, composed of United

States and United Kingdom representatives, makes all important decisions regarding the allocation of foods. Washington and London are not qualified to determine needs of Russia and China or other allied states.

A third weakness of the machinery is the fact that none of the combined boards has identified itself as a supra-national body. All are but fusions of two national bodies. Their acts must be ratified by the respective governments before becoming effective. There has occurred no weakening of national sovereignty through the operations of any combined board.

It must be concluded that a golden opportunity will be lost, unless another type of thinking prevails. The opportunity of bringing about a union which will precede a federal constitution is not being utilized because it is argued that the necessities of the war make it difficult to have large bodies making decisions. One might well ask whether the same argument could be used against any federation or union which might be hoped for as a result of this war.

There is one development, however, which gives rise to hope. The International Food Conference held at Hot Springs, Virginia, in 1943, was one serious attempt to implement the United Nations Agreement. From it may derive supra-national administrative machinery which will be empowered to tackle the fundamental problem of food for the United Nations. Should this prove true, a fundamental gain will have been made. If further conferences result in multiplication of United Nations organizations, truly supra-national in character, then much progress toward union will result from the United Nations Agreement.

The Federal Instrument

SINCE the fifteenth and sixteenth centuries, scholars have speculated upon the prospect of creating a governmental order for the entire world, an order that would be sufficiently stable to insure peace and the opportunity to develop social organization in conformity with the best interests of man. The Abbé de Saint-Pierre, the Abbé de Mably, Immanuel Kant, and Jean Jacques Rousseau were important successors to the brilliant Florentine poet, Dante Alighieri, in estimating the possibilities of an enduring world order.

From the era of the French Revolution to the turn of the twentieth century, individual national states were too engrossed in domestic consolidation and external imperialism to have much interest in any permanent solution of international problems. Nationalism was the profound sentiment of the period, and imperialism was its offspring. The struggle of rival imperialisms for resources and markets of empire bred a recurrent series of international incidents. Wars were not infrequent. Some were short; some were long. Finally, in 1914, the great European state combinations found themselves unable to avert large-scale war. The price of this war was too great even for the victors. The natural result was an attempt, however futile it proved to be, to formulate an effective peace system.

The threat of war is always an impetus to consideration of this subject. Few utopias have sprung full-blown from the minds of closet philosophers. Most men have sought to escape, in speculation, the reality of existing perils. So the statesmen of Versailles found themselves trembling before the mental picture of suffering peoples who too had speculated upon the uselessness of war.

This was the background of the treaty they drew. That it was more emotional than forceful was plainly apparent before the ink was dry on the signatures of the covenant; its futility is even more conspicuous now, as the "civilized" world is in the midst of another world cataclysm.

World order may be secured in either of two ways. The first is through the establishment of the *Pax Romana*, the peace of the conqueror, protected by an all-powerful government, which, by the long arm of administration, reaches down to regulate the lives of individual citizens. The incomparable Roman Empire set the historic pattern for this type of order, but every so-called world conqueror, from Genghis Khan and Timour to Napoleon and Hitler, has dreamed of such triumph. The all-powerful state prescribes a universal code of human behavior. It punishes deviation from the code in inverse ratio to its tolerance. The Roman administrators granted the privilege of local customs to peoples brought under the jurisdiction of the Roman eagle (the *prætor peregrinus* and the *jus gentium* were guarantees of a degree of local autonomy), but upon certain specific points there could be no deviation from empire standards.

The second method by which a peaceful world order may be achieved is that of federalism. In a dispensation of this character, local autonomy is not only permitted—it is guaranteed to the citizens of the member states. In theory, federalism reconciles the advantages of large and small state forms. The cosmopolis, of classic Stoic speculation, guarantees peace; the small state makes possible a higher development of the individual through active and vital participation in his government. I do not mean to imply that a citizen might not vote for the president of a world republic. A system might be created in which there were three-quarters of a billion electors eligible to participate in world elections. But an individual citizen would scarcely accord to such a vote the importance that he would attach to a vote cast for his local mayor.

The small state likewise offers the possibility of greater personal co-operation among members of a given social order. The

larger the population of a body politic, the less personal are the relations of its members. Most scholars agree that the greater effectiveness of the social conscience, as a limitation upon human discretion, lies in the smaller population. This principle led men like Rousseau to doubt the possibility of democracy's being successfully applied to large populations or to extensive territories. Greater personal contact makes for understanding and, consequently, for less complex systems of justice to individual persons. Any general rule applied over a large population must inevitably, in its enforcement, create hardships for many persons, through no fault of their own.

Federalism is a compromise system. Created through the territorial distribution of governmental power, it presents strength in those functions where strength is necessary to security, but it leaves member states autonomous in fields where conformity to a single standard is not necessary to the strength of the union of states. Thus, the advantages of both large and small states are secured through this distribution of governmental authority.

The United States of America, the first successful example of federalism on a large scale, furnishes us an adequate example of this distribution of power. Meeting in the hot summer of 1787, the "fathers" of the American federalism had little except individual insight and intuition to determine what powers should be delegated to the central government. Common sense and the experience of the Articles of Confederation (1781-89) isolated specific powers, the delegation of which was indispensable to the future strength of the United States. Among these delegated powers were: (1) foreign affairs and the negotiation of treaties; (2) public defense, including both the military and the naval arms; (3) fiscal affairs, especially those relating to systems of coinage, currency, and government securities; (4) foreign and interstate commerce; and (5) the composition and the organization of the central government.

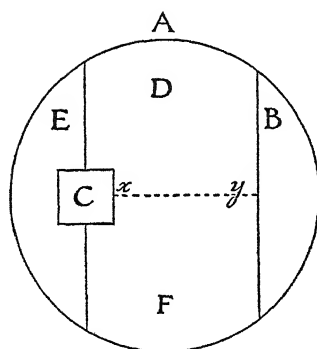
This delegation of power, creating sufficient strength in the central government, left most of the remaining governmental

powers to the member states. Included in those powers reserved to the states were: (1) education; (2) agriculture; (3) manufacturing; (4) intrastate commerce; and (5) civil and criminal law. In fact, most of the governmental functions that touched an individual in his normal, everyday life were performed by the member states. Of course, the makers of our Constitution, anticipating future amendment, provided specific procedures for altering this original distribution of power. And in more than one hundred and fifty years, twenty-one amendments have been added. Yet, in all fairness to the perspicacity of the founding fathers, few of these amendments have dealt with a re-allocation of governmental power; most have sought to limit the exercise of power and have not sought to take from one jurisdiction and give to the other.

The Constitution not only delegates power to the central government and reserves the remainder to the member states, but denies power to each and to both of these governments. For instance, in seeking to protect the citizen from arbitrary or tyrannical governmental intervention, the Constitution defines an area into which the strong arm of the government shall not reach. The specific limitations in this province are known as the Bill of Rights, although other provisions of the document further enlarge the general area. Freedom of speech, press, assembly, petition, conscience, and religion is guaranteed, as is non-arbitrariness in the matter of the judicial process.

A mathematical illustration will help to explain this allocation of power between the central government, on the one hand, and the member states on the other. Let the area within circle *A* represent the totality of governmental power; this is meant to include all possible power in this or any future age. It may include power that has never been exercised by any government, but which may, in the future, become necessary to human existence. Let *B* represent the natural rights that are secured against governmental tyranny. In addition to the denials and the delegations of power, there is a small field in which both the central and the

state governments have concurrent jurisdiction. Here especially are taxation and certain phases of the police power, which we define as the right to protect public health, morals, safety, convenience, and welfare. Let this area be represented by C .



Like the federal system of the United States, a world federation would necessarily have both a central and several member-state governments. Such a federation would represent the creation of another level of government, a level above that of existing national states, like the United States or Brazil or Turkey. The figure will illustrate the distribution of powers in a world federation. Here the authority of the central world government comprises the area E and that of the national member states is DF . If the member state is also federal in organization, the dotted line xy separating the fields D and F is important as designating a distribution of power. If the national member state is unitary in organization, the line xy may be disregarded, and the whole area would be constitutionally united as DF . With these designations, the power of the central world government would be represented by the algebraic equation:

$$A - (DF + B) = E$$

The power which a national member-state government, if unitary, could exercise is represented by the equation:

$$A - (E + B) = DF$$

If the national member state were itself a federal state, the equation would be:

$$A - (E + F + B) = D$$

The power of the member state of the national federalism would be:

$$A - (E + D + B) = F$$

The position of any of these lines could be altered by amending the proper constitution. The line *xy* could be altered only by amendment of the constitution of the national member state. Except for *C*, in which *F*, the state government of the national member state, has concurrent jurisdiction with *D*, the other area boundaries are alterable only through amendment of the world constitution.

To apply further the illustration to a world federalism, *E* would be the world state (whatever its name might be); *DF* would be France, or Great Britain, Sweden, or Canada; *D* would represent the United States, or Mexico, Australia, or Brazil, and *F* would be Nebraska, or Queensland, Sonora or Maranha.

The creation of the world federation would necessitate the amendment of existing national constitutions. For instance, in the United States some functions of the departments of State, War, Navy, and Interior would have to be transferred to the world government. Yet, with the present allocation of administrative duties among the departments, none would be stripped by the delegation of all of its functions.

In the creation of a world federation, the present national states would be the delegating powers. They would be the creators, and might, therefore, theoretically "uncreate their creature." They could, pursuant to the world constitution, adopt amendments which might alter the content and scope of the delegated powers upon which the world government relied for its existence and its authority. In the United States (1789), Germany (1871-1919), and Australia (1900), the delegation was from the member states to the central government; in Canada (1867) the delegation process was reversed, being from the cen-

tral government to the member provinces. The explanation for this latter innovation is twofold: (1) the authority for creating the federation was granted from above, from the British Parliament in the British North America Act of 1867; and (2) the Canadian federation was created during the decade of the American Civil War when many eminent Englishmen believed that the United States was in process of final disintegration; therefore, they sought to build in Canada a governmental system that would possess sufficient internal strength to weather political storms.

The American Civil War was the result of a disagreement over the location of sovereignty in the United States. Men like Calhoun and Hayne contended that sovereignty lay in the contracting states and that, if the union government exercised powers that threatened the existence of a sovereign state, the state might secede peaceably from the union. On the other hand, Webster and Story contended that sovereignty lay in the people of the several states. The Civil War decided the issue in favor of the latter view; and the Supreme Court, speaking through the person of its chief justice, characterized the system as "an indestructible union, composed of indestructible states."

This political decision embraces a principle that is vital to enduring federation. The central government must rest upon the people and not upon the governments of member states. The fundamental weakness of the German federation (1871-1919) was that the central government rested upon member governments, especially the government of Prussia. The central government becomes, under these circumstances, little more than a clearing house for diplomatic differences among the member states, and the politics of both member states and federal state are on the same level. This is a serious weakness. Why should the government of a member state be intimately concerned with political issues over which it has no control? The answer is that it should not. The politics of the higher level, that of the federated state, should relate to problems which it is constitutionally authorized

to consider; the politics of the member-state level should be concerned with those problems over which that state has constitutional control.

Another serious weakness in the German federal system was the political practice of permitting individuals to serve as officers of both central and member-state governments. The mere fact that the same lawyer was attorney general for both the German and the Prussian governments served to erase the distinction that ought necessarily to differentiate the two levels of government. One of the first requirements of the world constitution should be that no person could serve in official capacities both world and national member-state governments simultaneously.

Thus, in recapitulation, the sovereignty of a world federation should lie in the people of the several national member states. When a national state is admitted to the federation, it should be regarded as an organic part of the new world state and should not be permitted to withdraw from the union unless the sovereign specifically assents to the withdrawal. The ease with which states could enter or withdraw from the League of Nations made that system entirely too ephemeral to exercise the functions of a world state. If political science teaches anything, it is that not every political decision of a government shall be favorable to every person or group in a state. And when a person or group consents to the authority of an organized state, it agrees to accept unfavorable as well as favorable decisions.

Any successful world federation must pool the agencies of military and naval power. This power must be utilized only for the best interests of the federation and, for that reason, must be under the sole direction of the central government. The national states should be permitted to maintain small forces for police purposes, but definite limitations should be placed upon the size of these contingents.

The League of Nations was foredoomed to failure. Though many of those who participated prominently in the Versailles conference may have realized the general ineffectiveness of the

League plan, they were victims of the prevailing psychology of political and military leaders. Escape from the German menace had been achieved by great national armies, armies that operated with a minimum of liaison through most of the war. In addition, there was an all-too-prevalent faith in the efficacy of economic power. The enemy industrial order had collapsed before his military front had wavered. Even in the years when the Fascists were preparing for war on a huge scale, the democratic politicians, many of them supporters of the League of Nations, relied upon economic sanctions to maintain peace. The have-nots did not possess sufficient resources for a long war, and, since the memories of 1918 were still fresh in the minds of their leaders, any military threat was to be regarded as no more than a clever technique to stabilize the position of the fascist leader in his own country. Thus reasoned the democratic leaders. The political economists of the democracies were too certain that national bankruptcy would overtake any fascist leader who tried to put into force his military threat. But these men were too expert in open-market economics and too little aware of the possibilities of totalitarian effort. What becomes of the bankruptcy bogey when a dictatorship, substituting political decrees for the free play of economic forces, abolishes the very meaning of national bankruptcy?

The establishment of a federal army under the authority of a central world government will inevitably generate opposition among those who have cut their teeth on the old reliable ring of nationalism. The very idea of reliance upon a protecting force so far away is alien to nationalist ideals. The same feeling created skepticism about the United States federal plan of 1787, even though the individual states had co-operated in military affairs throughout the Revolutionary War. The military co-operation made necessary by the exigencies of world politics during the past quarter-century may well become the greatest factor in overcoming this indigenous nationalist skepticism. Though far from the scene of battle, Americans admit that British and Russian soldiers are fighting for the interests of the United States. This

attitude demonstrates growth toward world unity and may be the foundation for the world federation.

If the world federation eventually embraces most of the peoples and the resources of the world, the military problem will be correspondingly reduced. If the federation becomes all-inclusive, the military forces would be used only to assist national police in the suppression of piracy and the more serious internal disorders, much the same as the peacetime army of a national state is now employed. Many have dreamed of military and naval disarmament during the past forty years. Such a commendable objective is attainable only by the surrender by national states of the right to raise armies for the pursuit of national policy. The disarmament advocates view war as a return to savagery and quite out of character in the civilized world of the twentieth century. But wouldn't it be much better to move to the very center of the trouble, remove the possibility of international military conflict, and thereby create a situation in which the efforts of mankind may be employed to improve social existence?

The yardstick used in determining representation in the legislative body would likewise be subjected to strong criticism in many countries. Every national people regards itself as "the chosen people." The Hebrew Scriptures bristle with this point of view; the learned Greek philosophers, moreover, were not above considering all who were not Greeks as barbarians, even as modern-day Nazis think of non-Germans as inferior. Citizens of the imperialist powers generally have looked upon their subject peoples as inferior. "Niggers of empire" and "the white man's burden" are modern phrases which emphasize this national superiority complex.

Objection would arise among the occidental peoples at the prospect of being swallowed politically by the teeming millions of Asia. The "yellow peril" is a campaign slogan in the western United States, in Canada, and in Australia. Admittedly backward politically and economically, India nevertheless has a larger population than Great Britain, the British self-governing do-

minions, and the United States combined. Some effective yardstick will have to be constructed that will be acceptable to the citizens of the strong powers. But the formula must not be so harsh or so unbending as to destroy the desire of the densely-populated states to adhere to the federation and, thereafter, to follow a program designed to improve the education and general living conditions of the underprivileged masses. Literacy might indeed become one effective standard for representation in a world congress.

A sentimental appreciation of other peoples is not a necessary or even a desirable attitude among the peoples of a world federation. All that is necessary is that the people of one member state shall be willing to view the populations of other member states as possessing the right to equal political consideration. In the United States, the people of one section have very little love for those of another. In fact, it is good politics in the South to condemn Yankeeisms as evidence of political and social degradation. But, on the other hand, Georgians were not outraged when the voters of New York, New Jersey, and Massachusetts joined with a majority of those of Georgia in electing Franklin D. Roosevelt in 1932, 1936, and 1940. Similarly, it is doubtful if the people of Norway and Denmark would object seriously if they found the congressmen from India and China supporting the Scandinavian solution of the currency problems of the postwar world.

VI

Rights, Liberties, Freedoms

BILLS OF RIGHTS, civil liberties, human freedoms—they all are attempts to state and describe in broad outline the general principles that are to govern the relation between the individual and the community, i.e., the government. The forms in which this has been done are numerous. Their bearing upon an emerging federalism is evidently of the very greatest importance.¹

While it is still customary to talk of a "bill of rights," actually this terminology is definitely out of date. In the eighteenth century, rights were thought of as "immutable," "inalienable," and "natural." The idea of such individual rights was part of the cult of rationalism and individualism which characterized the "Heavenly City" of the eighteenth century philosophers.²

In the course of the nineteenth century it became increasingly clear that such rights were not something absolute and unchangeable. As the rationalist beliefs of the eighteenth century appeared more and more in historical perspective, rights were seen as constitutionally created and guaranteed. They varied from time to time and from country to country. Amendments to the United States Constitution and other constitutions brought home to all who were blinded by dogmatic prejudice that these "rights" were really "civil liberties"—a constitutionally guaranteed and reserved sphere of individual liberty.

But even this concept in turn declined. The constitution be-

¹ Cf. Carl J. Friedrich, *Constitutional Government and Democracy*, (Boston, 1941), *The New Belief in the Common Man* (Boston, 1942), also Arnold Brecht, "European Federation and the Democratic Alternative," *Harvard Law Review*, Vol. IV, No. 4, (February, 1942) 563

² Carl Becker, *The Heavenly City of the 18th Century Philosophers* (New Haven, 1933).

came the bulwark of vested interests; progressive forces looked for a symbol which would indicate their preoccupation with the needs of the working man, rather than the preferences of the economically privileged. It became a matter of freedom for the individual to be an equal member of the community.

To these three stages in the evolution of thought on the subject of the relation of the individual to the community and its government correspond significant shifts in emphasis as to what is most important for the individual. In the period in which natural rights were the forms of interest, property was seen as the key to the individual's independence. It was felt by Locke and the whole movement of which he was the most persuasive exponent that the individual's right to the fruits of his labor could be most effectively protected by protecting his property. With this went the cheerful assumption that anyone who wanted to work, could, and that anyone who did work was likely to accumulate property, if he were thrifty.

In the period in which civil liberties came into the foreground of attention (none of these periods, can, of course, be rigidly delimited), the activities of the individual as a person and as a citizen featured most prominently. Freedom of speech and of assembly and freedom of the press seem to have preoccupied most thought in the field. Besides these, freedom of association, particularly as exemplified in the trade unions, became an urgent concern. It seemed vital to have these freedoms of expression effectively protected, if a community was to be governed by the people, that is to say, citizens who judged and acted "freely."

But as the "individual," in the twentieth century, was seen more and more as the victim of social "forces" over which he had little or no control, the problem assumed new forms. It was now no longer a matter of allowing the individual freedom of expression; for what was the use of such freedoms, if he could not "live." The "freedom to starve" became the cynical expression of a new ferment, the constructive side of which is expressed in President Roosevelt's famous two freedoms: freedom from want

and freedom from fear. Both these freedoms, while undoubtedly priceless to the individual, are patently dependent upon governmental action: the freedom from fear obviously calls for action on a world-wide basis. But freedom from want, it will be recognized by anybody who understands the modern economy, likewise depends upon world-wide co-operation. It is clear, therefore, that existing governments are increasingly incapable of handling the problems which the relation of the individual to the community raises in the modern world. Attempts to deal with these problems lead directly into the issues of world organization and world federalism with which this entire volume is concerned.³

It is important to emphasize this fact in connection with any discussion of the bill of rights as applied to world federalism, because the older, outworn (yet still surviving) views on bills of rights tend to see them primarily as interferences with the government, and hence as weakening it. In truth, both the civil liberty conception and the civic freedom conception are based on an almost diametrically opposite view: They seek to strengthen the individual and his contribution to the community through collective action and thereby strengthen the community itself.

Certainly a bill of rights of a world federalism must be seen in such a light. It grows out of the question: What provisions should the constitution contain to elicit the maximum contribution from all individuals comprised under the constitution? To transpose the President's formula, the answer might be: They must be free to express themselves in matters of conscience and of communal concern, but in order to do this effectively, they must be free from want, and they must be free from fear.

The latter requirement has, of course, been recognized in English-speaking countries for a long time in a form the Presi-

³ As in the case of other contributors to this volume, the author of this chapter does not wish to imply by the use of the word "world" that such an organization must be all-inclusive at the outset. Any federal system that includes a sufficient number of former national "states," say one quarter of the globe, would seem to qualify as a world organization, particularly if it extends over more than one continent.

dent did not mention: The right *not* to be arrested and seized—habeas corpus—is one of the most ancient and jealously guarded rights of Englishmen and Americans. But recent events have made it increasingly apparent that this guarantee against arbitrary arrests and seizures, while enormously important, is not sufficient. There is also the collective danger and fear arising from wanton aggression of an outside foe. To guarantee that freedom, definitive action in the international sphere is called for. As the President himself put it: "It means a world-wide reduction in armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor, anywhere in the world."⁴

But whatever view one takes of that matter, it is obvious that we are here face to face with forces which are clearly beyond the ken of the individual. That is even more true, perhaps, of the freedom from want. To many, an unprecedented optimism is implicit in the guarantee of freedom from want, for: "Can we actually cope with want?" Is the road leading away from want clear and distinctive? Our American aspirations have found eloquent expression in speeches of political leaders, such as Vice-President Wallace.⁵ But are we not here confronted with a problem belonging to an entirely different order than the freedom of expression? When we speak of freedom from want, we are proposing to give to people something they do not have, rather than restraining others from taking from them what they presumably wish to use! Moreover, freedom from want presents problems largely in the material realm. It is the age-old problem of poverty. There is a psychological aspect to it, of course; people's needs and satisfactions vary greatly in accordance with a consumption pattern to which they are accustomed. But even this pattern is again a material thing. It can not be gainsaid, therefore, that freedom from want is something beyond human will to the

⁴ Message to Congress on the State of the Union, January 6, 1941. This, it should be noted, is too limited a conception of the freedom from fear, the rights involved in habeas corpus are, it would seem, essential to any democratic federalism.

⁵ Hon. Henry A. Wallace, address before the Free World Association, May 8, 1942.

extent to which it is subject to the laws and limitations of the material world.⁶

However, the President offered certain specifications for this freedom. It may be well to examine further what he said concerning the freedom from want. Translated into world terms, he stated, it means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants everywhere in the world. In other words, he elaborated it rather in terms of free trade than in terms of social security legislation and the right to work. Yet the latter undertakings appear to be much more central to the achievement of freedom from want than free trade would be. One can not help but feel that it was the conservative free trade thought of the Department of State which worked out this interpretation.

It should be noted, however, that the expression "understanding" which the President used allowed considerable latitude. This is important when we recollect that the Atlantic Charter specifically provided in Point 5 that the signatories (now all the United Nations) "desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic adjustments, and social security." It should be noted that at a meeting of the International Labor Office in October, 1941, attended by representatives of thirty-five nations, these social and economic principles were endorsed.

Even the guarantee of the right to work is, however, insufficient in large areas of the world. The economically backward regions, such as India and China, can not hope to see the lot of their starving peasantry alleviated by either free trade or the right to work. For the fact is that those millions of tillers of the soil are overworked and exploited. Freedom from want for those people calls for undertakings similar to the agricultural legislation in the advanced countries: Switzerland, Denmark, Australia, and the United States. In other words, the right to work can be made

⁶ See below, Chapter VIII.

meaningful only if related to effective use of the means of production. If these areas are not to adopt the social system of large collective farms, then the right to control those things which a man needs to control in order to enjoy the fruits of his labor, more especially farms, land, and stock, will have to be recognized. This is a gigantic undertaking, when one considers the systems of exploitation and chicanery, combined with outmoded methods of production, that have been prevalent in many of these lands. It will call for a patient building up of widely dispersed capital resources. Obviously all a federation could do would be to insure the political and administrative conditions requisite for progress.

Returning now to freedom from fear, we find that a federal police force and a military establishment seem to be called for. Unless some such central force is effectively built, no chance exists of guaranteeing even a minimum of freedom from fear within the territories of the federation, or against external enemies. As Cordell Hull put it on July 23, 1942: "It is plain that some international agency must be created which can—by force, if necessary—keep the peace among nations in the future." Again, it would be reckless to claim that freedom from fear is an accomplished fact in the United States. We have our third degree, lynchings, and labor bating. And yet, after all is said and done, the United States citizen is "free from fear" as compared to the terrorized subject of dictatorial regimes. It is, therefore, not too much to say that the achievement of conditions approximating those prevailing in the United States today would represent substantial progress, at least for many members of the federation. This would be even more true of freedom from external aggression. The United States would never have been able to defend itself effectively without a national military establishment. State militias have been a welcome addition, and probably will be in a world federalism, but the supreme command needs to be lodged in the federation itself. The organizational problems involved will be on the way towards solution as a result of the merging of the military command in the United Nations, especially among

the United States, the Netherlands, and Great Britain and the Dominions, just as was the case in the past, when federal systems were forming in the United States, Switzerland, and Germany. For all these federations were created after wars which had brought about the unification of military organization.⁷

More baffling than either the problems of freedom from want or freedom from fear are those of the freedom of expression and religion, for here the difficulties are political and spiritual. The bloody wars of religion preceded the recognition of religious toleration in Europe. The positive acceptance of other men's belief is difficult in inverse proportion to the ardor with which a particular faith is held to be "the truth." It is easy for the agnostic to be tolerant of other men's religions; he looks upon them as mild cases of mental immaturity and lets them go at that. It is supremely difficult for the man passionately concerned with the welfare of the soul to tolerate views which he is convinced corrupt the soul. Yet that is the position the majority of mankind is in today. And since the freedom of religion is the basis and the starting point of other freedoms of expression, the problem is quite central. India, with her conflict between Hindus and Moslems, illustrates the tremendous obstacles which such a clash of religious faiths can create. When we reflect how vital a part free education plays in the maintenance and development of free institutions, and on the other hand how intimately education is linked with religious beliefs and ecclesiastical organization, we catch a glimpse of the magnitude of the problem we are confronting. We may have to be content at first with something much more limited and general than the separation of church and state which we deem essential to freedom of religion, something far short of freedom of the press and of assembly as we have come to practice them in the United States.

For there is no object in our becoming "ideological imperialists." We cannot erect a democratic world order upon a set of ideas

⁷ Henri Bonnet, *The United Nations* (Chicago, 1942), also report by Quincy Wright to Commission for the Study of Organization of Peace

we impose upon unwilling peoples by the force of arms, or by the pressure of financial aid, or even by the supply of food. The success of the enterprise of world federation depends up the free and voluntary acceptance of the principles involved by those peoples who would enter such a world federation. It is unpractical for us to think in terms of ideas which are only acceptable to ourselves. Just as the original Bill of Rights was adopted by regular constitutional amendment under the Constitution, so a similar bill for a supra-national federation should be adopted by common consent.

It is not possible to claim that a world federation will guarantee the four freedoms in the sense that it would insure their enforcement. Not even the United States federal union has been able to do that. Furthermore, as has been stated, at least one of these freedoms is conditioned by our power over nature, our ability to master material limitations. Yet federalism would seem to hold out a better prospect of effectively guaranteeing such freedoms than any other plan. The reason is that federalism provides the tried pattern of constitutional government for large areas, and an effective guarantee of rights or personal freedoms presupposes constitutional government.

It is difficult to say at this writing what principles would be generally agreed upon. In discussing the problem recently, in *The New Belief in the Common Man*, I wrote:

Eighty million Germans, a hundred and fifty million Russians, tens of millions of other Slavic peoples, well over two hundred million Indians, between four and five hundred million Chinese and Japanese, not to speak of the numerous other peoples in the Near and the Far East, in all probably three-fourths of the earth's population, have been living under social and political conditions where freedom of speech, of the press, and of assembly are almost meaningless phrases.

And as for freedom of religion—and of education? Do not many of these people acknowledge faith in a religion which dogmatically denies the desirability of tolerating other creeds? Can we force them to accept toleration?⁸

⁸ C. J. Friedrich, *The New Belief in the Common Man*, 300.

But the worst of it is that we, ourselves, are far from having accepted the job of becoming world citizens. We need a great deal more than tolerance. The situation calls for positive steps. What are the common ethical aspirations of mankind? Are there certain basic patterns of behavior that are common to the vast majority of mankind, whether they be Christians or Buddhists, Mohammedans or Jews, Confucians or secular humanists? Some have maintained that there are. But unlike the natural-law writers of the past, they have based their views upon a comparison of actual moral and ethical beliefs expounded and fostered by the great world religions. William E. Hocking in his *Living Religions and a World Faith*⁹ has expressed the view that there are supreme values embodied in each of the world's great religions which represent contributions to an emergent "world faith." He has painted a broad and catholic canvas. Irving Babbitt and the group of writers known as the neo-humanists groped for factual support of their assumption of such universal ethical principles. Professor Arnold Toynbee, whose far-ranging scholarship found striking expression in his *A Study of History*,¹⁰ stated at least as a hope, resulting from his comparison of all the great religions, that religious elements in Islam, Hinduism, and Buddhism, as well as Christianity, may provide the basis for such a pan-human ethos. "There can be no international ethos without a religious basis," he wrote.

The difficulty with all these interpretations is that they are essentially the product of Western minds. Moreover, they are the products of Western minds somewhat removed from the thought and the feeling of ecclesiastical rigidity. Such explorations are worth-while, indeed, but they can not, from a democratic standpoint, be considered as more than preliminary. Something more representative is called for. We need to discover what representatives of the great world religions would actually accept as sound from their respective viewpoints. In *The New Belief in the*

⁹ William E. Hocking, *Living Religions and a World Faith* (New York, 1940)

¹⁰ Arnold Toynbee, *A Study of History* (London, 1938)

Common Man, I raised the question in concrete terms: "Might we not gather forthwith a world convention of men and women of thought rather than action who could represent a majority of mankind?" No world federation should be attempted without such a preliminary canvass of basic beliefs. We are not going to achieve a unity of beliefs. There is no such thing possible as agreement on fundamentals. But we may well discover common modes of behavior resulting from different fundamental views. There are striking hints of such common concerns. The Confucians, for example, envisaged the coming of universal peace just as much as the Christians and the Jews. They called it the Great Harmony.

Around such concerns, and directed toward them, might be grouped such principles of conduct as find a basis in the ethical convictions of a majority of mankind. More especially would we seek to discover principles of conduct which would delineate the proper relationship between the individual (or the family) and the community at large, the local, regional, national, and world-wide authorities of government. It seems impossible at this writing to insist upon specific conclusions to which such a "parliament of man" may come. But it is to be noted that all the great religions have in common a belief in ethics as such. Implying the recognition of personal responsibility, such a belief posits an elemental realm of freedom, a right of each man to seek right and wrong. In this broad sense, then, the guess might be hazarded that such a pan-humanist congress would recognize personal responsibility and religious freedom in that broad sense.

But how can there be personal responsibility, unless there is a minimum of personal independence? Protection of its citizens against arbitrary searches and seizures, against being detained without being charged with a legally determinate crime would seem to be implied as necessary tasks of the world federation. Without it, the federal world government could not hope to secure the essential support of its citizens. There might be troublesome breakdowns, such as the failure of the Southern States to provide for such personal independence of the Negro. But as an

over-all principle of conduct, the world congress might well accept it. If local (national) officials proved unable to secure this type of protection for the world citizen, they should probably forfeit the right to continue in office. This would provide us, if agreed to by the world congress, with the quintessence of freedom from fear.

It seems less likely that ready agreement could be secured upon principles of conduct consonant with the freedom from want and the freedom of expression. But speculation here is fraught with difficulties, because of the many different views which have to be taken into account. No matter. The answers should be democratically secured, anyway. If, therefore, such a world convention or "parliament of man" can not be assembled to seek out the answers, it would, in the light of the foregoing, seem highly desirable to do as the makers of our Constitution did: First set up a working frame, and then adopt as amendments the common views and traditions acceptable to a majority as to the relationship between the individual and the world federation. Obviously the very size of the organization necessitates our conceiving these in the broadest terms, so that these principles might fit the widely varying conditions in member states. It also demands of us that we do not thoughtlessly insist that our own principles are necessarily the most urgently important ones. The Confucian insistence upon the family may be sounder as a principle of world citizenship than our own atomistic individualism. It may—and yet it may not. As philosophers we may argue on this point for many a day. As world citizens we will accept that principle which seems most satisfactory to most men. The naturalists were right when they stressed the fact of common elements in human nature; the positivists were sound when they, like Bentham, insisted that the only way to discover these common elements is through the process of free discussion and independent voting. It is upon that basis that a world-wide bill of rights, or civil liberties, or a charter of world freedoms will rest securely.

VII

Machinery of Federal Government

GRANTING that the imperatives of our time require some form of collective order as the price of peace, and assuming federation the form best suited to a world of widely varied nations, we find it necessary to turn attention to the pattern of institutions appropriate to implement such a union. It is true that the organic structure of any government is no more than the bare framework, the blueprint, of its living reality; it remains equally true, however, that adequate machinery is essential to the success of any enterprise.

Difficulty arises when we pass from the general recognition of the need for constitutional machinery to the actual consideration of details. Indeed there are logical objections to any detailed project of this sort: it may be condemned as futile, since any political settlement will depend upon negotiations under unpredictable circumstances; it may be rejected as creating confusion among those who admit the need for some kind of world order but are unwilling to agree to a specific plan; more particularly, attention to such "utopian" problems may be deemed escapist nonsense in the midst of a war in which our every effort should be devoted to the achievement of victory.

To such objections there should be noted at the outset certain major justifications. First, since 1919 we have learned the fundamental fact that military victory, although it is to be desired under any conditions, is not enough in itself to insure the victor against the necessity of fighting a future war. Winning the peace becomes therefore one of our major war aims. This being true, the discussion of how to win the peace is quite as essential as, even if less pressing than, the discussion of immediate military matters. Another valid consideration is that in wartime, especially, nations

are willing to admit and operate upon the facts of interdependence. Winning the war requires the help of our allies; winning the peace—developing adequate guarantees against the outbreak of future wars—likewise requires the help of other nations. Far more general and more ready acceptance of this conclusion can be secured in wartime than in the less urgent atmosphere of peace—the more reason for acting upon it when support is greatest. Finally, as to the details of organization, it may be pointed out that any plan which omits them runs the risk of remaining so vague that it invites distrust from our allies and scorn from our enemies.

Perhaps the most useful approach to a study of the structure of a world federation is a survey of historic federal and international structures. Without attempting to develop a systematic history of past experiments, we can make a number of generalizations, particularly as to types and functions.

An elementary distinction is that between national federations and international organizations, on both of which a scheme for world federation may be based. The study of national federalisms or unions has been somewhat neglected by students of international relations; it furnishes a profitable source of practice in interstate co-operation and political cohesion. Historic cases of federalism include small units like Switzerland and large ones like the United States, unions in which the participating units have a common culture—like the German Empire—and others in which they are widely variant—like the Soviet Union—some resulting from the accident of dynastic rules, some created by conquest, and others established by the free will of the peoples.

Freely established unions have usually been created as instruments for meeting a common danger or for solving common problems (Switzerland and the United States). Enduring ones have been characterized by centralized control of preponderant military power; where this was not true at the outset, as in both the above examples, it became true following internal crisis and civil war, after which the constituent units were stripped of all

but token authority over any phase of military matters. These two conclusions have inescapable significance for any system of world government.

International organizations offer a number of contrasts. An interesting distinction lies between those organs which were created by deliberate plan, which come into being completely equipped with organic act and carefully defined authority, and those, on the other hand, which result from gradual evolution. The League of Nations is the best example of the first type, and the institutions of Pan-Americanism supply perhaps the most elaborate case of evolutionary development. Each type has its weaknesses. The full-blown creation is apt to lack substantial support, to have a more elaborate design than the realities of its functions justify, and to give a false impression of adequacy. The gradually developing institution is likely in a given crisis to have no adequate machinery for action; its decisions must often be made by the tortuous and slow processes of diplomatic negotiation; it functions as a group of completely independent states, with hardly any pretense of limitation on national sovereignty.

Another conventional distinction is that between political and technical organizations, a distinction which is often difficult to discern in borderline cases, although it may be reasonably clear in extremes. The activities of the League of Nations, many activities of the Pan-American organizations, and some activities of the International Labor Organization are clearly political; those of the Universal Postal Union and the International Telecommunication Union, and many phases of the International Labor Organization and of the Pan-American organizations are clearly technical. It is true that so-called technical activities have a surprising habit of running into political issues, as the League of Nations discovered in dealing with such questions as narcotic control, or as the history of the Danubian commission shows. The significant difference between the two types of function may be defined arbitrarily: The political body concerns itself with efforts to maintain peace; the technical body deals with the inter-

national phase of subjects which have mechanically outgrown national jurisdiction. In a field such as radio, it is mechanically impossible for independent national action to operate; international action is required simply to allocate wave bands and prevent jamming. Similarly, international action has established a uniform gauge for railroads, a uniform load-line for merchant vessels, and even a uniform musical pitch. There is a remarkable number of technical unions, but it must be pointed out that since most of them comprise almost automatic necessities, the international community deserves little credit for creating them; they hardly play a significant role in the larger purpose of preventing war. On the other hand they evidence the increased complexity of the interdependent world of today; they show in the realm of technology a lesson yet to be applied in the domain of politics. Furthermore, they fit usefully into the functions of a political organization of the pretensions of a league of nations, as giving it a variety of activities somewhat comparable to those performed by a national government. In a project for world federation, certainly, the existing technical unions provide the opportunity for consolidating at one move a tremendous array of agencies and functions into the framework of the new system. This opportunity was neglected by the Versailles conference in its draft of the League covenant—although the hope was held that eventually such a consolidation might take place. Article 24 of the covenant provided for the association with the League of other international bodies, but only a few formed such association and those largely on a formal basis only.

It may be further observed that the jobs performed by the technical unions are more similar in detail to the normal peacetime functions of a national government than are the more spectacular activities associated with settling disputes. Because their functions are at once necessary and governmental, their assignment to a world federal government would be both appropriate and essential to its completeness. It is necessary only to insist that they be not confused with the political task of maintaining peace.

It is easy to create the delusion of adequacy by centering attention on a large number of technical functions being well performed; it must always be remembered that they are secondary matters, bearing much the same relationship to the prime object of preserving peace as in domestic government the fixing of interstate railroad rates bears to the muster.

Still another distinction catalogues international bodies by the measure of their universality, or more accurately, by their span of control. Some, like the postal union, include practically every state of the civilized world; others are strictly bipartite and by their nature could never have more than a purely local interest—as, for example, the United States–Mexico Boundary Commission, which maintains various projects in the Rio Grande Valley. Between the two are regional organizations—the Pan-American association and a number of European bodies—and organizations universal by character and concept but lacking the factual adhesion or support of significant powers. The League of Nations itself is the best case of the latter. A marked sense of unreality characterized certain League documents from 1933 to 1935, when Germany and Japan were still carried on the list of members because of the provision that two years must elapse before a withdrawal became effective. The history of the League demonstrates the importance of universality to the success of an organization intended to preserve peace—or at any rate the importance of universality in terms of great-power participants. The role played by regional and bipartite organizations may be put down as evidence of the need for local approach to local problems. A St. Lawrence seaway authority would have the same relation to a world federation that the New York Port Authority (with jurisdiction in three states) has to the United States federation.

A more significant problem of regionalism is that raised by a political arrangement like the Locarno Pact, which though not implemented by any formal institutions (except by vague reference to the League Council), had an important position in the machinery for the maintenance of European peace prior to its

denunciation by Hitler. Essentially Locarno was a regional alliance system, framed on the League pattern of collective security instead of on the traditional alliance basis. Its limitations lay not so much in its regional character—which may indeed have given it strength (on the presumption that a state will show a greater concern with problems close to its borders than with ones in distant parts of the world)—but rather in the fact that it was indeed no more than an alliance, from which it was possible to withdraw. It fell when Germany withdrew, just as in a realistic sense the League fell when Japan, Germany, and Italy withdrew, or to take a national example, as the United States nearly fell when the issue of possible withdrawal was raised by the South in 1861.

One final distinction, and one not widely recognized in the international field, is that between organizations formed by governments and operated by diplomatic representatives and organizations in which the peoples of the respective states participate, at least in some sense. Of this latter type there are few examples other than those of national federations, which in their early stages have sometimes resembled international organizations more than unified states. The International Labor Conference was composed of delegations in which employer groups, labor groups, and governments were represented, and similar representation was allotted on the ILO's governing body. A few League members followed the practice of sending minority political party representatives on their delegations to the assembly. In Switzerland the League covenant was ratified following a popular referendum (as are all treaties binding the confederation for more than ten years). International tribunals have adjudicated many national claims based on individual citizens' rights, though the principle that the states only are parties before the court has always been maintained. And a few cases are on record on international action by armed forces, which while representative of governments also involve direct participation of troops (Saar plebescite police, Spanish civil war naval patrol, Mediterranean piracy patrol, hemisphere neutrality patrol, etc.). On the whole,

however, it has been characteristic of international organizations that they are exclusively inter-governmental affairs, in the strict tradition of international law and diplomacy.

The merit of popular participation in any organization planned to play a major role in the world settlement is obvious; such participation has been impossible thus far because of a zeal for state sovereignty comparable on the national level to that of the state compact theorists in the United States prior to 1861. The more direct participation would be that of electing representatives to sit in the conferences and councils of the international federation, thus affording a constant interest and control that would go far to remove suspicion that the new creation would somehow do violence to the popular will. For the technical administrative organs, there would be little popular concern in the routine subjects normally handled, and, therefore, little reason for popular control; but as these became absorbed into a federal system, the task of legislating for them would become the fitting role of an international legislative body. The citizen's consciousness of participation in the international government would likewise be increased by the identification of a great variety of technical controls, ranging from the call letters of radio stations to the color of postage stamps, with one specific governing organization rather than with the present obscure and largely unrelated groups of technical bodies.

Functions to be performed by the international federation will naturally determine its structure to a considerable extent—certainly its most vital organs. From the preceding discussion it is clear that the one indispensable function expected of the new world order is the preservation of peace. It is likewise obvious from the record of historic attempts to preserve peace, both international and internal, that the heart of the problem is centralized control of military affairs. It is upon the necessity for this single and all-important function, then, that debate on the organization of peace must be conducted. All other functions are incidental and contributory.

The exact division of military control between the international and the national authority is not particularly important; it is important, however, that the principle be recognized that the international authority should have the controlling force in a crisis. To this end it is essential that the international authority be equipped with the naked force to compel recognition of its powers. The actual armed forces at its disposal need not be numerous, but they must be relatively preponderant over any probable combination of other military establishments. Should the federation not attain universality at the outset of its existence, the maintenance of a fairly large force (perhaps by a compromise of the principle of central control to make use of existing forces of member states) would be necessary to secure the certain immunity from attack that can be guaranteed only by an unquestionably superior armed establishment. Upon the attainment of real universality, the size of the international force required would be controlled by two simple factors: the forces required to garrison strategic territories and the above-mentioned principle of relative preponderance.

Another feature of military control that deserves treatment is the respective role of ground, air, and sea forces. Aside from the strategic value of the three arms, the character of the proposed government itself suggests emphasis on air and sea forces, which can be moved quickly and in strength across great distances. There is also less popular reluctance, as several observers have pointed out, to sanction the use of air and sea power in operations far removed from the national boundaries—a factor important to consider for the initial years of the new order. Stress on air and sea establishments would also permit economy in personnel, again a consideration related to popular consent.

It is probable that the character and early history of the military establishment will have its effect on the history of the federation itself. It would be well to assure it the highest quality of military leadership and the highest standards of training and equipment. An ideal arrangement would be the creation during the

war of a United Nations' corps under a unified command composed of the crack fighting units of the allied forces. Such a corps would bestow two great advantages at the outset—a tradition of victorious combat, significant both to the future prestige of the establishment and as a unifying symbol for the federation itself; and an existing international military force at the time of the peace conference, thus affording a point of departure for negotiations on the line of employing the same unified command to win the peace that had done an important share of the job of winning the war. This latter advantage might conceivably do much to overcome the natural reluctance of peoples proud of their military establishments to relinquish national control of them.

If the military function is the indispensable one, the judicial function is its essential complement. Only by establishing an international judiciary to carry into effect the peaceful settlement of disputes, to protect desirable guarantees of minority rights, and to act as a continuing assurance to member states and to individuals against improper use of power by the central government can we expect consent to the federation's being endowed with dominance in military matters. Only on this basis can we justify world government ethically or expect it to endure.

Such a judiciary calls for new concepts of international jurisprudence, but by no means for the abandonment of all traditional principles. The new judiciary would necessarily create much of its own law, drawing on principles of federal practice, on international law proper, perhaps on the abundant experience of the British commonwealth with the subtleties of a great variety of degrees of political relationship. Subject to general directives to be laid down in the constitution and in legislative acts prescribing jurisdiction, the international courts should be endowed with fairly broad powers of interpretation, with a frank recognition of the fact, so obscured in most jural theory, that judges are law-makers in their own domain. With the recognition of this principle, democratic control over the designation and, potentially, the actions of the judges should be provided.

As to the judicial institutions, use may well be made of the excellent bodies already existing, which, if properly integrated into the new government and unfettered from past limitations on their authority, afford both personnel and tradition on which to build the new jurisprudence. The Permanent Court of International Justice might well be the court of highest appeal, with appropriate regional and specialized bodies. The principle established in the United States federalism, that the high federal court possesses jurisdiction in matters of federal concern, and may review decisions of the high courts of member states, should be maintained. A possible development would be the integration of the high courts of existing federal governments into the group of regional courts to operate for the world federation. Thus the United States Supreme Court, the Judicial Committee of the Privy Council, and other federal courts of last resort might be combined with new courts for regional groupings in the Danubian area, the Hispanic-American area, the Arabian or Muslim states, and other similar combinations.

A major issue relating to the judiciary is whether machinery for conciliation and arbitration of interstate disputes should be retained alongside the formal procedure for judicial settlement. This plan prevailed at the Paris conference in 1919, and not only were such procedures created within the League framework, but the previously created Permanent Court of Arbitration was retained, quite independent of the League system. One essential difference between conciliation and arbitration on the one hand and judicial settlement on the other is the matter of compulsory jurisdiction. If we admit the desirability of compulsory settlement, the only sound argument for retaining the weaker processes lies in the idea that it is desirable to provide for cases wherein strict legal rules do not necessarily govern (although the trend in actual cases of arbitration has been sharply away from that concept).

Admitting that cases may arise in which strict legal rules would be inapplicable or undesirable, better solutions suggest themselves in the familiar concept of equity, in some modifica-

tion of the consent decree, or in the many procedures which have evolved in the practice of natural administrative bodies of the quasi-judicial type. Traditional conciliation and arbitration rest too firmly on the practice of diplomatic negotiation between absolute sovereigns to have any place in a federal system.

The taxing function is frequently cited as one without which no government can live; so familiar is this principle that its importance hardly need be discussed here. Naturally there would be provision for concurrent control of the power, just as in national federations. United States federal history underlines the importance of the central taxing authority's being independent of the consent of the member states. Machinery for collection of revenue should be federal machinery; there should be no reliance on financial support by assessments on member states. Along with taxation, other fiscal authority should be delegated to the central government, especially in the fields of international finance, banking, monetary policy, and extension of credit.

United States experience also emphasizes the importance of central controls over trade. Without entering into a general discussion of the protectionist *versus* free trade argument, we assume on the one hand that an approach to free trade is desirable, but that the approach must be more or less gradual so as to soften the administrative difficulty of making the adjustments in state economic structures which the process will entail. Appropriate economic institutions to put controls of trade into operation would be essential, but to some extent these might be left to legislative creation. A central bank, a tariff authority, very possibly a colonial or raw materials authority (or both), a shipping authority, an air transport authority, a communications authority, and for the immediate postwar years a relief and rehabilitation authority, are among the more important agencies which would be required. Certain desirable activities of such agencies might be difficult for the new government to finance in the early years out of its own revenues; to meet this problem, extensive use might be made of government corporations, whose bonds could be

placed with the participating states at the outset. There is no reason why such corporations could not speedily develop into soundly financed organizations whose securities would find as ready acceptance in investment markets as do those of national government corporations like the Tennessee Valley Authority.

Practical politics requires attention to the issue of the relative influence of participating states. The ingredients of national power will inevitably retain their significance for a considerable time to come; national states, even though committed to a world federal scheme, will not quickly forget their military potentials or the national policies and interests appropriate thereto. Just as the coalition which wins the war will organize the peace, so the powers within that coalition which supply the military victory will dominate the early postwar world. There is no conceivable reason for glossing over the fact that the United States, the United Kingdom, and the Soviet Union constitute the military power of the United Nations, or that each will certainly seek at the peace table, or before, adequate arrangements to assure its military defense in the quite natural view that, after all, the international order might break down again. The lease of bases on British Atlantic colonies by the United States is an excellent illustration of this consideration. It is also an illustration of the point that such arrangements might better be made during the war than agreed to in secret treaties which would give rise to confusion and disillusion at the peace conference.

This is not to say that the three above-named powers are encouraged to embark on careers of imperialism; indeed, the control of strategic bases adequate to the world federation's role of guaranteeing against aggression will have to be built upon joint control of such bases by the principal participating powers. The transition from national control to federal control should be as rapid as possible, and preferably before the end of the war—when the individual proprietors might well become reluctant to pool their assets.

The same general principle applies to the transition in eco-

nomic, commercial, and financial influence, and to political weighting of the central legislature. In these as in military matters, the initial step toward world federation must be through the delicate operations of diplomatic negotiations. It is important that such negotiations be undertaken during the war rather than afterward, not only because the individual allies would be more willing, but also because a great deal of the institutional fabric of the United Nations coalition could be easily tailored to the pattern of a working federal system. Indeed it is likely that the administrative efficiency of the military alliance itself would be thereby improved, and the morale of its troops sharpened by so concrete a token that our war aims would consist of more than inspirational oratory. Thus, the new world order would become not merely a hope for future generations but also a weapon for our armies today.

VIII

The Economics of Federation: Money and Credit

NO PROPOSAL for a federal polity governing the relations between democratic nations would be complete without consideration of the economic problems which would be involved in such a proposal. At the outset we are faced with the necessity of choosing between two alternatives: on the one hand, there are many persons who feel that the establishment of any such federation would be a heaven-sent opportunity to correct many existing evils, to provide new and better ways of dealing with the economic problems which are so difficult in our modern society, in short, to propose a federation which would be an economic utopia; on the other hand, there are persons perhaps a little more gifted with an insight into the realities of political and economic life who will scoff at such proposals, who will distrust anything of this sort as "naïve utopianism," and who will insist that our problem is political at heart and not economic at all. For this latter group of thinkers any thought whatever that federation would provide a different economic technique even in minor details would constitute an argument against federation as such. Clearly if we must sail between this Scylla and that Charybdis, then we may well wish the sagacity of Ulysses.

We do not believe, however, that this dilemma fairly states the case, for there is evidently an escape between the two opponent courses. It would be foolish to burden our proposal for political federation with a whole baggage of impromptu and utopian suggestions. We must keep clearly in mind that we are here deal-

ing with a constitutional question, namely, with how a group of democratic nations can best establish a federation for dealing with their collective interests. It is important that we clearly mark the limits of federal action and the methods of federal legislation and administration. What action should be taken in any given case and what legislation should be enacted by the federal legislature to deal with particular problems are questions that must be left to the federal agencies if and when they are created. Therefore, we must be chary of what we suggest that federation will improve in our economic life.

On the other hand, it would be stupid to deny that there are economic problems connected with federation. Many of these problems are of such a persistent and ineluctable nature that we cannot wisely evade them by referring them to the presumptive legislature. It is essential to write into the constitution¹ of our proposed federation at least the power to deal with these problems. We must do this as broadly and impartially as possible and not try to compel the legislature to exercise these powers in any predetermined way. The legislature itself must be thought of as being fully informed on these problems and quite capable of dealing with them from time to time as the occasion arises. All we need here is the general grant of constitutional power to the legislature to cover these cases.

The power of the federation to stabilize the currency throughout the territories of all member states would be one of its most valuable functions. It would make possible a much higher level of prosperity, it would enormously facilitate trade and commerce, and it would stabilize economic conditions on a high plane of productivity. The constitutional proposals which we make in the Appendix must be read in the light of this general truth. In Article 15 we propose that for the immediate future the congress of the proposed federation shall have the power to establish a currency which shall be a world legal tender.

We believe that an essential proviso must be inserted to pro-

¹ Appendix, pp 211-227.

protect the legal tender quality of the currency of each member state, merely giving to the congress the general power to prescribe conditions under which the currency of any member state shall be exchangeable at par for the currency of the federation.

The federation cannot at the start wipe the slate clean of all existing currencies circulating as legal tender in the various member states and then set up its own currency system in their places. It would be far better if, at the start at least, the currency of the federation were to be a money of commerce for the liquidation of international balances among member states, but not employed widely in the domestic commerce of each state. This would require that fixed exchange ratios be established between the federal currency and the currency of each state. The currency of the federation should be issued in units having a name and a value quite different from the units of any existing currency.

While it would be unwise in the extreme to try to lay down the monetary laws of the federation in the form of constitutional precepts, yet we may quite properly indicate in a general way the lines along which monetary legislation might be drafted in order to secure the main purposes of this new currency. Each member state might be required to maintain a gold backing for its currency of (say) not less than 25 per cent of the face value of its outstanding currency and subsidiary coinage. A certain specified fraction of this backing should be kept on deposit with the comptroller of the currency of the federation. Or supplementary techniques might be devised for providing some other form of cover for the currencies of member states, e.g., the deposit of foreign exchange *valuta*, or staple commodities other than the precious metals.

On the basis of the gold value of each currency unit (as specified by the member state concerned), the federation would prescribe the exchange ratio of each of these units for the currency unit of the federation. After the gold value of a currency had been fixed by a member state, it would remain fixed, and neither the member state nor the federation would possess the power to

change it. Thus the exchange ratios of the various currency units with both the federal currency and each other would be stable ratios, which could for convenience be printed on the back of each currency note. In this way the arbitrage and foreign-exchange markets would be abolished, and the currency of one member state could at will be exchanged for the currency of any other member state or of the federation. Individual currency would continue to circulate within its own state in the ordinary transactions of the market place; and yet there would, in effect, be one single currency for the whole of the federation. This arrangement would completely eliminate one of the great handicaps to international trade within the federation, namely, the fluctuations of exchange rates and the consequent necessity of adopting "exchange restrictions" and various forms of "blocked" credits.

There could be no possible complaint about the equity of this determination of exchange ratios between the various currencies, because each member state would have fixed the gold value of its own currency. Within each member state there might be a conflict over this question; the importers would want a relatively high value, the exporters would want a relatively low value. In general, national pride would fight against any lowering of the gold value; on the other hand, if the value were put relatively high, then it would be necessary to have a larger amount of gold as backing for the same amount of outstanding currency. In any event, no matter whether the value were put relatively high or relatively low, industry and commerce would quickly adjust themselves to whatever value was adopted, knowing that it could not henceforth be tampered with.

To try to specify now what should be the monetary theory of the federation would be going from the purely constitutional question of the general power to establish a currency to the legislative question of how this power should be exercised. Some members of the congress would undoubtedly be proponents of a "hard money" theory, and they would attempt to put the federa-

tion currency strictly on a gold basis. This might be a very fine thing from many points of view, and it would be a natural policy for gold-holding countries, like Great Britain and the United States, to adopt. Even so, the gold standard has evolved far beyond the simple free-coinage concepts of the turn of the century. It is not a part of our present purpose to advocate one or another monetary theory; all we insist upon is that such a federation should have large monetary powers, that it should have the facility for purchasing the gold and silver it would need for implementing whatever monetary theory its congress adopts; while the legal tender privilege of the currencies of member states should be protected within each state.

In modern economic life an assured and equitable supply of credit is fully as important as a stabilized currency. The economic promise of federation which offers a rising standard of living for all citizens as an inducement for its adoption requires that the federation establish a banking and credit system able to deal with these problems. We may, therefore, presume that the congress would establish a central bank, which we may call a world bank, as provided in Article 19.² There are several international banks already in existence, such as the Bank of International Settlements located at Basel, The United States Export-Import Bank, and the Inter-American Bank now in process of formation. The world bank would be precluded from exerting any control over these existing institutions. The statutes of the world bank would presumably be modeled more along the lines of existing central banks such as the United States Federal Reserve System or the Bank of England. The exact relations between the world bank, the minister of finance, and federal monetary authority would be defined by statute.

The chief function of the bank would be to act as a central bank of rediscount for the facilitation and encouragement of commerce throughout the federation and with non-member states. The statutes would have to prescribe very carefully the con-

² Appendix, p. 215.

ditions on which the central banks of member states and other banks located in member states could affiliate with the world bank in order to avail themselves of the privileges of rediscount which it would offer. These provisions would be the same for all and would presumably include requirements as to the financial condition of affiliating banks and the nature of the periodic inspections to which they would have to agree. The federation would have to do all in its power to guarantee that no leading bank of a member state should collapse as did the Kredit Anstalt of Vienna.

The world bank would engage upon two fundamentally different types of credit operation, and for this purpose would maintain two separate divisions. The first of these would be designated the Rediscount Division, and would be concerned with the routine credit transactions of any central banking system. This division of the bank might also undertake open-market operations such as those which have proved so valuable in the experience of the Federal Reserve System.

The other type of credit operation, to be designated guaranteed credit, would be based upon the special provisions at the end of Article 19.³ Here it is provided that the congress may at its discretion guarantee credits for achieving certain specified ends.

The federation, if it is established at all, will be established because it promises a richer and better way of life for the citizens of the member states. It must increase the possibilities and the opportunities for trade between the member states, to the mutual benefit of all. The fundamental thesis on which the federation would base its economic life is that it is possible to increase the well-being and the standard of living of its citizens as long as it is possible either (1) to increase the number of persons gainfully employed or (2) to increase the net yield or output per man-hour of gainfully employed persons. In either of these two cases the result would be a net increase in the quantity of goods and services available for distribution to consumers. Persons can be gainfully

³ Appendix, p 215.

employed only when it is possible to find a continuous market for their labor and its products. The vast increase in such markets and opportunities which would be made possible by the establishment of the federation almost defies description.

The minister of commerce would be able to collect an enormous amount of data of the highest value for the integration and efficient guidance of the economic life of the federation. All persons and firms engaged in producing for the various markets of the federation would be glad to have access to summaries of these data as guides in their production planning. The minister would be in a position to warn producers when certain markets for certain commodities were approaching the saturation point, and he would also be able to point out regions and commodity fields where shortages were in prospect. These data could always be presented in such a way as to protect fully the vital trade information of each competitor from the others, and yet provide valuable and specific guidance to each person or firm concerned.

The extension of "guaranteed credit" would be governed "thermostatically" by these data on world conditions accumulated by the minister of commerce. The credit of the federation would thus be employed to expand production and increase buying power. Citizens of member states would be given tremendous aid in finding markets within the federation for the largest possible output of their factories. The basic idea here is that we shall all be prosperous if we are all engaged in gainful occupations; under these circumstances there will be ample buying power to absorb the total product of industry and agriculture. People are unwillingly unemployed, or partly unemployed, because of the inadequate integration of the needed data which would point the way to a more efficient employment of all of our extractive, agricultural, and industrial resources and man power.

Neither the minister of commerce nor any other official would have arbitrary powers over industry and commerce; there would be no regimentation whatever, and everything to be done by anyone would be done voluntarily. Self-interest would be the

dominant human motive on which reliance would be placed for carrying out this enlarged program. Everyone wants to earn more money than he is now earning; no one should object if the minister of commerce, by collecting and integrating the essential data, could show individual business men how they could actually increase their earnings.

The present book does not try to defend the thesis that the adoption of these techniques would automatically and immediately abolish unemployment or cause a startling increase in the standard of living of the various member states. Any such thesis as that would be pure utopianism and would be subject to the charge of wishful thinking. We do insist here that these techniques would provide a more adequate collection and integration of significant economic data throughout the federation; they would make these data available to all interested parties; they would, furthermore, provide the individual businessman with specific guidance in his search for a wider market for his product; and, finally, they would provide the credit needed for at least part of the augmented program of production. These facilities would be available to any citizen or firm of any member state; the dominant goal sought by the federation and its minister of commerce, in conjunction with the world bank, would be the greatest possible production and consumption of goods. Everyone would profit by this program.

We must keep our perspective, so that we may always have a broad view of the problem as a whole. We must not allow ourselves to view the economic problems of the federation as being primarily concerned with merely the products of one particular nation, one special industry, or one restricted area. We must keep in mind that the whole federation represents a vast diversity of climate, soil, population, products, and technology. Each member state can consume the products of the others only to the extent that it produces and sells its own products to them. Merely because, through the device of a federal currency, we abolish the fluctuations of international exchange rates, we do not abolish

the economic necessity of balancing production and consumption, or equilibrating the inflow and outflow of goods for each country. Only a centralized agency such as the federal ministry of commerce could maintain this impartial and connected view of the whole economic problem of the federation. Any attempt to build up such a view *ex parte* and by unilateral action is bound to fail.

Existing methods of conducting this type of business guidance have made certain progress, and there is nothing in these proposals which suggests that these present techniques must be abolished. All we are proposing is that they be supplemented by the federal technique in ways which it would be impossible for them to provide themselves. This integration of economic activity will be especially important for the manufacturing industries. The products of manufacturing are so manifold that it is literally impossible for the manufacturer of each of them to find all of the possible outlets for his production, even though he has a very large sales staff. Not only would the minister of commerce have an immense amount of statistical data not otherwise obtainable as a guide in this distribution, but he could quite properly and efficiently organize special exhibitions, sample displays, "merchandise-mart cruises" on chartered ships, and a hundred other devices for educating consumers, creating consumers' wants, and bringing producers and retailers together.

Democracy must not be allowed to go down to defeat in the economic war it is waging with highly regimented and organized totalitarian feudalism merely because there are some among us who would wish to reject any possible form of higher integration of our economic life. What we must strive for is the highest possible integration and organization of our economic life with a view to its greatest efficiency in serving our ends—to the greatest degree that is compatible with the complete protection of the individual business man and firm and their essential freedom of initiative. It is possible to go a long way towards an efficiently organized economy without infringing in the slightest upon per-

sonal initiative. In fact, we will more certainly protect the freedom of the individual businessman if we place at his disposal the facilities of such a federal ministry of commerce and a world bank ready at all times to support him in his commercial and industrial ventures, than if we leave him entirely to his own devices.

It is not possible to lay down a cut-and-dried program of action for the minister of commerce and the world bank to follow in carrying out these general suggestions. All that is essential is that we should write into the federal constitution those powers and prescriptions which will suffice to indicate the general will of the public for an intelligently organized but essentially free economic life. The detailed program must first be put into preliminary shape in the form of enactments of the congress, and these again must be amplified in the regulations and plans of the ministry and the bank, and in the counterproposals of businessmen directly affected in each case. The program must remain flexible and experimental, and must not be allowed to become doctrinary or visionary. We must not hope for a panacea; but we must confidently expect that within the general limits here suggested it is possible for intelligent, honest, and persistent men to achieve significant results.

Under the ægis of such a federation it would be possible for credit to expand throughout the federation and to find employment not only in the extractive industries but in all of the other fields from which it is now largely excluded by the political instability of the countries needing it. The extractive industries would, of course, continue to operate. But beside them there would grow up or expand an enormous use of credit in commerce, manufacturing, power generation and distribution (whether governmental or private would depend on each community's own decision), road building, air transport, and public utilities. This credit expansion would spell prosperity and increased markets not only in the borrowing country but also in the lending country. We make no apologies for repeating this truth once more, for it can not be too firmly established in the consciousness

of the reader: that the primary argument in favor of federation is the argument of self-interest, the self-interest of the great majority of the people of all of the prospective member states. An "expanding economy" will find relatively easy solutions for economic problems which would destroy a "static" or scarcity economy.

Sanctions Against a Recalcitrant State

ONE of the most obvious and unavoidable problems to be faced in any plan of international federal union is that of coercion or sanctions. This question is important in part because of its inherent nature and the place which it occupies in the whole program of federation, and in part because of the history of the League of Nations between 1919 and 1939, when sanctions received so much attention and experimentation. The question can never again be evaded, and, in the words of the reformer and the scientist alike, it will never be settled until it is settled correctly.

Our object here is to stake out only the main points in the problem. A few such fixed points or lines can now be discerned, and it will be of considerable value to have them clearly indicated and well established.

It is not possible to settle in advance all, or any great proportion, of the details of applying sanctions, either by inference from past experience or by deduction from general theory. Such details can be settled only by negotiation, where, as often is the case, they involve conflicts of interest and policy, or by experimentation, where there are technological problems to be solved without benefit of experience.¹

This means that no patent answer is available for many minor aspects of the problem. One such so-called minor problem—unitary versus co-operative action—exemplifies this difficulty. It means, too, that action must be taken without waiting for the solution of these details. Just as the whole general question is

¹ For a more complete discussion and a bibliography, see Pitman B. Potter, *Collective Security and Peaceful Change* (Chicago, 1937)

unavoidable, so action in the matter is inescapable if any international reorganization is to be undertaken, for even refusal to act would constitute making a decision and adopting a certain position regarding the issue.

We shall analyze the problem in such a way as to bring out the points concerning sanctions in international organization which may fairly be regarded as already established. It should be clearly understood, however, that we are discussing the problem from the standpoint of the future and not with reference to the war now being waged. It is true that a sharp and logical distinction between war and sanctions can be exaggerated and is not entirely sound even in its pure form. Even where one state, on its own responsibility and in promotion of its own interests, attacks another state, the juridical and ethical quality of sanctions action may be present. It is also true that spokesmen for the Axis powers have argued—not without reason—that Allied action in the present war retains a trace of sanctions against Japan, Italy, and Germany, lingering from the years 1933–36. But nothing is to be said here by way of planning the Allied war effort as sanctions procedure. Again it is the experience and the exigencies of circumstances which will determine the action taken, not any blueprint provided in advance. Here we are planning a system of sanctions for a new or resuscitated league of nations, or a world federation, to be set up at the end of the present war, although such a system may well result from Allied co-operation in the war.

One facet of the general sanctions problem should be noted here in order to clear the way for further discussion. This is the idea of the internal sanctions of international law and international agreements. It is said that the primary reasons or factors inducing states to comply with their international obligations are discoverable in the law and in the international agreements themselves. These consist essentially of the reciprocal advantages inherent in the law or the agreements. On further examination these considerations merge into the principle of reciproc-

ity and the danger of retaliation, but this does not necessarily alter the character of the problem. It is only when we explore further the relations between these factors and the practice of sanctions in the ordinary sense that their significance becomes apparent. Later references will be made to this point.

The principal aspects of the sanctions problem may be designated by five terms: occasion, procedure, organization, modalities, and value. It is possible to make some definite deductions concerning them, to sum up the results, and then to formulate a few conclusions on the general problem.

The occasion for the invocation of sanctions is logically the first aspect for consideration, and it is also one of the most delicate. At least two points are involved. First, what objective conditions or circumstances shall cause sanctions to be invoked or to be invocable? Second, who, or what agency, shall be empowered to take such action? Other questions naturally arise, such as the application of specific sanctions action to particular occasions, the possible outlawry of sanctions action by a single state, etc.

In connection with the first point, it is admittedly hazardous to state in advance the exact circumstances which should justify the application of sanctions. On the one hand, it is difficult to define "aggression" or "resort to war" or whatever is to constitute the ground for the application of sanctions, so that equivocation is impossible. Next, it must be admitted that any such definition does give the government contemplating wrongful action a certain amount of guidance in evading the prohibitions erected; the way in which the states have played tricks with the old categories of war, neutrality, belligerency, etc., is sufficient historical proof of that. On the other hand, neither of these difficulties can be allowed to stand in the way of applying sanctions if such action is justified on other grounds, just as they have not been allowed to stand in the way of the development of criminal law in individual states. Thus, the whole idea is not to be discarded because of the difficulty of definition.

Second, there is no *a priori* limitation upon the type of be-

havior to be made the occasion for sanctions action. It is often said that territorial security and pacific settlement are justifiable purposes for the invocation of sanctions, but eventually there may be other matters—economic issues and social questions generally—in connection with which sanctions will be applied, either in addition to or instead of the highly political issues. Indeed, many such cases exist already.²

Third, no advance definition can remove the necessity for the exercise of some judgment in the premises. And the power to apply or not to apply sanctions must be lodged in some authority of the states, in order to work the system at all. Automatic sanctions in any literal sense are figments of the imagination; no legal prescriptions, however complete, which require positive action for their execution, can ever operate without the intervention of some human agency. This does not mean that the definition is not worth attempting, or that, once achieved, it has no influence. It would be just as shallow to hold that definition has no importance in such situations as to argue that it is impossible to achieve—two positions frequently taken by critics of the sanctions idea.

No system should leave to the aggrieved individual state the decision to apply sanctions. Indeed, the whole purport of the proposed reforms is to substitute community action for individual state action—for individual sanctions action has long been practiced. Such individual recourse to sanctions must be prohibited; outlawry of recourse to force by the individual state has its best justification in this very context. In the past, states have not hesitated to define "self defense" too ostensibly in their own national interests.

This discussion of occasion leads to that of procedure, which relates to both the taking of the decision to apply sanctions and to the carrying out of the decision. It extends even to the liquidation of the affair and the reintegration of the situation on the part of all concerned.

² See articles XXXII and XXXIII of the Constitution of the International Labor Organization and Article XIII of the Covenant of the League of Nations

The taking of the initiative in applying sanctions must certainly not be left to the state claiming to be the victim of aggression, but must be open to all members of the group. Moreover, some provision should be made for such initiative on the part of officials of the federal union, so that the matter will not be left entirely to individual states. This approaches the provision of international criminal jurisdiction, a subject not under discussion here. It is most important that the state charged with an offense must not be allowed to vote in the matter; this is a familiar and accepted principle; if such action amounts to the imposition of superstate control, citizens may thus be reconciled to the step in this one vital spot.

Procedure in the execution of sanctions presents an even more difficult problem and one subject to solution mainly by experiment and experience. It depends largely upon the extent to which the use of physical force is authorized and the extent to which other factors—economic and psychological, for example—are to be employed. It is, therefore, even less subject to dogmatic statement than what has gone before.

Two points seem quite clear. One is that morally and juridically (perhaps psychologically also) the non-physical sanctions constitute just as much coercion, or attempted coercion, of a sovereign state as does military compulsion itself. The attempt to classify the former as “negative” and the latter as “positive” is fundamentally unsound and even technologically meaningless.³ The other clear fact is that there can be no assurance that so-called non-physical or moral sanctions will accomplish their purposes without leading to physical sanctions. This second point obviously means that no effort at sanctions should be undertaken unless there is a willingness to utilize physical force if necessary. To cling to the illusion that economic and military sanctions are different in principle, and can be kept distinct in practice, is to prolong unnecessarily the confusion and the failure of recent years.

³ For example, is prevention of trade by blockade positive or negative action?

On the other point in the matter of procedure, it seems possible to be somewhat categorical; this is the question of the gradual application and the combining of conciliation and sanctions. The gradual application of sanctions, step by step, together with repeated efforts at settlement of the dispute in question, can not be altogether condemned, as is often done,⁴ such a combination is present in all legal systems. On the other hand, it is absolutely certain that if the sanctions action is to be effective, continued offers of conciliation must be so formulated and the sanctions action itself so organized and sustained that it leaves no room for doubt of its seriousness and its certainty; otherwise, the step is doomed to be ineffectual and a cause of greater trouble.

Organization means the arrangements made for passing upon the occasion for sanctions action and for carrying out that decision once it has been made. The first aspect of the matter has already been discussed. There seems to be little to add here except that such a decision belongs properly to an executive council rather than to a legislative assembly, if, indeed, it does not belong to individual executive or administrative officials, acting, of course, under stringent regulations. This brings us to the next aspect of the problem—the execution of the decision.

The principal problem in organizing the execution of sanctions lies in the choice between execution by a unitary agency operating under standing laws and regulations and execution by co-operative action of member states who retain more or less discretion in such action (whether to act at all, what kind of action to take, how far to go, etc.). The unitary agency might consist of anything from one official to a world army and navy. In the second case, the co-operative action might be such as to destroy all discretionary elements.

Several conclusions may be drawn with certainty concerning these two forms of organization. It is certain that sanctions action has been begun, in all systems of government of which we have

⁴ A E Highley, "The First Sanctions Experiment," in Geneva Research Centre, *Geneva Studies*, Vol I, No. 4 (July, 1938), 100-21

any record, in the co-operative form, and passed on to the unitary form later, without, however, losing all elements of the co-operative system even in advanced stages.⁵ It is certain, too, that it is far easier to secure the adoption of the co-operative form of sanctions action by individuals or states constituting a community. And, finally, it is certain that the unitary form, with its concomitant element of operation under standing regulations, is more efficient than the co-operative system. It is true, however, that combinations of the two forms are not only possible but universal, and perhaps provide the best means of meeting all the difficulties encountered in each of the two types.

On the other side of the picture there is the question of whether the sanctions action is to be taken against the member states as such or against individuals or groups of individuals within those states. The alternative between these two forms of action involves more than a mere choice between two methods of solving a particular problem; it amounts to a choice not merely between two forms of federal procedure but, in the last analysis, between federal and unitary world government. It means much for the success or failure of sanctions action. Action against individuals is likely to be much more effective both actually and as a threat than action against states, but it is much harder to arrange action against individuals. In this respect there exists similarity between unitary sanctions action and co-operative action. Moreover, we must not for one moment accept the idea that sanctions action against the state is excluded.

Finally, there is the problem of regional as opposed to world-wide organization and application of sanctions. It is argued that sanctions actions, particularly of a military character, can be applied much more effectively on a regional than on a universal basis. It is also suggested that politically such action is much more justifiable on a regional basis. However, major international problems, such as peace and security, health, and prosperity, are world-

⁵ See the item on the *posse comitatus* in *Cyclopedia of American Government* (New York, 1914), II, 761.

wide problems and have to be considered universally. The reality of the difficulties involved in the universal organization of sanctions is not denied, but such a consideration can not be accepted *a priori* as conclusive against an effort dictated by all the circumstances of the case. As always, it is probably in a compromise between, or in a combination of, the two principles that a solution is to be found.

Beyond this point arise many problems. How should the unitary system be organized and how should it be related to the other organs of the federal union? In a co-operative system what part is to be given to the more powerful member states and what part to the smaller states, in order to draw effectively upon the power of the former while depriving them of the means of making the sanctions action a mere tool for national interest, and to eliminate the possibility of the latter's exaggerating their "moral influence" either in promoting invocation of sanctions or in sabotaging it? Eventually, these questions must be resolved by experiment.

Modalities of sanctions action may range all the way from diplomacy and publicity through various administrative measures to military force. As already suggested, these various modes of sanctions action merge into one another imperceptibly, and the distinctions often drawn among them—particularly the distinction between non-violent and violent sanctions—are far less significant than is commonly supposed. It is likewise true that many forms of sanctions pressure, though organized and applied from the outside, do make connection with the internal sanctions and derive some of their value from this fact—e.g., commercial retaliation in connection with alleged violating of a commercial treaty.

The obvious end of sanctions action is to secure compliance on the part of some state with the law defining its obligations toward another state, and in the case of territorial aggression this means evacuation of territory and cessation of hostilities. Furthermore, it may be that the sanctions action, in order to accomplish

its purpose and avoid the necessity for repetition, should take even more drastic steps, such as disarmament of the aggressor or occupation of his territory. Or, in this or in other types of cases, penalties of one kind or another, fines or cession of property, may have to be imposed. Without for one moment suggesting the transfer, *in toto*, to the international field, of the whole apparatus of the criminal law—prevention and punishment, arrest and prosecution and incarceration or execution—we find it clear that much remains to be done to develop the institution of sanctions in unions of states. That the institution has not been further developed already in so-called national federal unions should lead us to what is the final—or perhaps we should say the primary—question concerning sanctions: What is their value?

In attempting to judge the value of any device or institution in political organization and action, it is essential to refer that instrumentality to some definite end, and not to try to judge it in the abstract or in a loose and unrelated manner. The objective standard by which we must judge the institution of sanctions is that of compliance with the law. So judged, can we say anything with assurance concerning its value?

It seems necessary to note first that probably 90 per cent of obedience to law everywhere takes place voluntarily and would take place if no external compulsion existed at all. This is traceable to the operation of the internal sanctions and to generosity or public spirit on the part of the persons concerned. Such compliance is present also in the international field.

Second, it is clear that such voluntary compliance can not possibly be relied upon entirely, least of all in just those matters where the law attempts to advance beyond provisions of an unimportant and commonplace character. No community, either of persons or states, which has made any pretense to vitality and strength has been able or content to eschew entirely the enforcement of law when voluntary obedience is not forthcoming. The extreme position of non-resistance, or self-annihilation, is untenable here unless self-annihilation is precisely what is contemplated.

Finally, the chief value of sanctions lies in their preventive character and—paradoxical as it may seem—in their not having to be used. A good 10 per cent of all law observance in general is probably traceable to fear of the punishment which may be inflicted if the law is violated. Thus the chief value of having an effective sanctions system lies in its operation by implication or inference. This aspect of the matter must be kept in mind in connection with all of the subordinate questions discussed (occasion, procedure, organization, and modalities), for it affects the answers given to every one of them.

We may now sum up our conclusions as follows: In any new or revised scheme of international organization (presumably on a federal basis), the question of sanctions will have to be faced. It will be necessary to make arrangements for invoking sanctions when they are needed, both for the sake of cases actually occurring and also for the purpose of discouraging, in advance, violations of law. It will be desirable to set up an independent federal police but it will probably be found that some reliance will have to be placed on federal co-operation. It will be desirable to arrange for administrative action against individuals rather than states wherever possible, but not to evade the more difficult task when it is unavoidable, or to seek escape from realities by means of regionalism. It will be desirable to employ various modalities of coercion, ranging from diplomatic and moral suasion to physical seizure or destruction, and it will not be possible to distinguish sharply among these various modalities, or escape in all cases the extreme form of physical action. It will be necessary to entrust the decision to employ sanctions to a federal council or even to independent executive authorities, and to regulate the action in such a way as to harmonize, without damage to either, the principle and practice of conciliation with those of effective coercion. While being given an opportunity to express itself freely and fully, the accused state must in its expression and in the exercise of its sovereignty be controlled or restricted in the interests of true justice, and the action of the victim state must also be held within

reasonable bounds. Finally, it will be necessary to define with some degree of precision the circumstances in which sanctions are to be applied, at the same time allowing for the unforeseen.

As was suggested at the beginning, this chapter has been intended as an analysis of the main points of the problem, with tentative answers to questions arising on those points. If the analysis seems to have pointed out more questions than it has answered, it will have served the purpose of bringing them into focus. If the answers suggested to the questions posed have seemed sound, a step forward has been made. The problem of international sanctions can be solved only by avoiding the errors of the past and the pressure of political groups, and by using intelligence and wisdom to make the solution fair and acceptable.

The Political Basis of Federation

A PREDOMINANT NOTE in the speculations of liberal-democratic thinkers on the subject of postwar reconstruction has been an insistence on the need for "some kind of a federation." As a popular catchword, "federation" has undoubted propaganda value. It has come to acquire some of the magic properties once associated with phrases like "a parliament of man," "league of nations," and "outlawry of war." For the pamphleteer and orator, therefore, it is a ready-made formula which should be fully exploited for the purpose of engendering a readiness for international collaboration.

In a general sort of way, we can grasp the federal idea as a response of the mind to the political problem of the one and the many—of the need for achieving both unity and diversity, order and liberty, centralization and autonomy—in the composing of human affairs. Nevertheless, there is need for a critical examination of federalism as a political principle or system, of the circumstances out of which federations have arisen and can arise, and of the conditions of their successful operation. An attempt will be made therefore to indicate a few types of theoretical and historical investigation which may, it is hoped, prove stimulating in the quest for understanding.

Analysis of the basis of federation is impeded, at the outset, by the apparent ambiguity of the concept. The common elements in the political structures of the United States, Canada, Australia, Switzerland, South Africa, and the Germany of Bismarck and of the Weimar Republic are extremely elusive. General usage

sanctions application of the term "federal" to their governmental forms, but some opposition is raised to the inclusion of some of the inter-city associations of the Hellenic world, or the present U.S.S.R., or the Argentine, Venezuela, and several other Latin-American republics. Etymology is even more confusing, since the Latin *foedus* conveys a sense much less extensive than normally covered today by "federation." An examination of authorities shows a studied evasion of sharp definition and much elaboration of qualifications, exceptions, and variations.

Without laboring verbal distinctions, it may be said that the essential feature of federation is the existence of two focal areas of political will—the central, which controls the aggregate of individuals in their entirety, and the several local ones, which govern autonomously in their respective territorial subdivisions. Behind both must exist a constitutional understanding defining the spheres of authority. Now, federation may develop as a result either from a centrifugal political force—the breaking down of a unitary form of government—or from centripetal action—the building up of parts into a new entity. The former is obviously of no value in the quest for light on international relations, and it is to the latter that we turn. Here arise two fundamental questions: (1) What are the propulsions making for centripetal action leading to federation? And (2) what are the conditions under which an effective federation can be maintained?

In a political, or psychological, order the most important forces which serve as efficient agents in the creation of federation are fear, a calculated expectation of advantage, and a response to some unifying ideal or myth. Of these three, the most important motivation is probably fear. Fear may develop from direct attempts at intimidation, or from a sustained and profound feeling of insecurity. Intimidation, shading into actual coercion, may be undertaken by a strong political unit seeking to obtain the adherence of weaker units under a nominal federal form. The term is too strong to apply to the methods by which overwhelmingly predominant Prussia initiated, first, the North German Confed-

eration of 1867, and second, the Empire of 1871; but the smaller states of Germany were thoroughly aware of Bismarck's indomitable purpose to achieve union no matter what the cost. "A more extensive union of the majority of Germans," said he in 1868, "could be obtained only by force—or else if common danger should arouse them to fury." The former alternative did not become necessary, since the latter intervened. The method of intimidation of the weak by the strong is not recommended to the architects of international federation, but in extreme cases it may present the only feasible alternative if union be deemed a supreme necessity.

A sustained and profound sense of insecurity has proved a most efficient agent for social and political integration, and advocates of international federation do well to recognize that fact. The insecurity may be political—the fear of invasion, war, or rebellion—or economic and financial—the fear of panic and starvation. Financial fears contributed to the successful efforts of the Philadelphia Convention of 1787; and political danger (encountered in the Franco-Prussian War) to the Empire of 1871. Where the danger is visualized as concrete and external to the federating groups, its integrating power is far greater than if the menace is conceived abstractly as some indeterminate aggression within the projected association. Unity, in other words, is cemented by specific, external opposition. Thereby is indicated an inherent weakness in any plan to establish universal federation all at one stroke. All that it can promise is the curbing of some unnamed political enemy within. If that enemy is clearly indicated, why should he unite with the others? If no enemy be clearly indicated, the danger is too remote, contingent, and unpredictable for any to find need to unite.

A possibility remains that the imminent prospect of worldwide economic collapse may prove an effective incentive to union. In facing such disaster, however, the position of some would undoubtedly be stronger than that of others; the fear and the hope would be of uneven intensity. The strong are then disinclined to

encounter themselves with the problems of the weak; a partial federation may be facilitated, but a universal union may be far off in realization.

Again, where insecurity is not felt strongly, there is little incentive to undertake more extensive obligations. A firm belief in its ability to take care of its own defense and economic problems has for decades kept the United States in its policy of isolation. In the years already upon us, that confidence has been rudely shaken, and advocates of international federation have correctly gauged the importance of that fact. Only when isolation comes to be regarded as a greater danger than union, only when it becomes unmistakably evident that comfortable existence can not be maintained through independence will the impulse to federation become strong enough to be translated into action.

Having said that, only a word is needed with regard to the other possible motivations for the act of federating. A rational calculation of advantage is important and certainly must play a part in the appeal to the practical, hard-headed class of voters. In the United States, the *Federalist* papers stand as eloquent testimony to the utility of this type of approach. Likewise, the desirability of evoking some unifying ideal, symbol, or myth can not be overlooked. Here the word "federation" itself supplies the need for those long accustomed to its meaning and practice. The idea of an English-speaking unity, or that of a "Union of Democracies," might have even greater force. Unfortunately for the leaders of the Pan-European movement, geographical contiguity has had no electrifying appeal—certainly not as against the deep-rooted divisions on that continent. Since the disappearance of the unity of Christendom, no universal myth has appeared sufficient in power to unite all classes and races of humanity, although some have urged that "peace" or "social justice" might at some distant day supply that force.

It may be said, in summary, that in founding an international federation, the propulsions of political and (or) economic insecurity are believed to be absolutely indispensable, and a rational

expectation of gain, along with a unifying ideal, of secondary (but nevertheless great) importance.

Even if some overwhelming fear psychosis should provide a propulsion sufficient for the creation of a federal structure, it does not provide a sustaining power over the long haul. For effective operation, the federal union must discover an enduring as well as a generating basis. Some of the problems may be indicated.

First, the parts of the federation must not represent too great a diversity in size, culture, and the level of their political and economic development. Contrast in size is probably of least importance, although one may well argue that the unusual predominance of Prussia undermined the federal structure of Germany. Even in a league, there are disadvantages, as the example of Athens in the first Athenian league testifies. Internationally, however, the ratio which the population of the United States bears (for instance) to New Zealand is not as great as that of the state of New York to that of Nevada. Sharp differences in levels of culture and of economic and political development are another matter. The project for European union has to contend with the difficult problem of linking together in common life on a basis of equality the undeveloped peoples of southeastern Europe with the advanced communities of the northwestern part of the continent. And international federation (whatever its constituency) would certainly have to maintain a superordinate trusteeship over most of Africa and part of Asia, at the least—all sentimentalism to the contrary. As far as this factor is concerned, the proposal for federal union of the democracies has an undisputed advantage over other projects.

Second, geographical contiguity is unquestionably desirable. All existing national federations possess such contiguity, and it is a most compelling argument for European and other continental unions. Part of its advantage has to do with compactness for defense purposes, part for the similarity of internal problems, and part for the practicability of legislative assemblage and ad-

ministrative controls. The plan for the union of the United States and the British commonwealth raises defense problems of sea power, which are not insoluble. Such a union could not possess an effective land force on the continents of Europe and Asia, and should only be extended to include countries in those regions which can find a means of continental defense. Common assemblage in a union parliament and the establishment of some central administrative control present problems far more difficult for the British-American plan than for a continental federation. It is too much to say that geographical obstacles render such a plan unworkable, but they suggest that the degree of federal unification and power can not be too extensive.

Third, unifying forces of a spiritual, emotional, or ideological character not only contribute to the formation of union but give it sustenance and vigor in its struggle for survival. Indeed, the process is reciprocal, for the strength of the forces themselves may be increased through the slow crucible of common experience—governmental, administrative, social, economic, and intellectual. Thus the myths of the United States union have grown slowly for a century and a half, and the fusion of the parts of the union has been a correspondingly gradual process.

Finally, we must consider the problem of the sources from which the central government of a federation may derive its power. There is no true federation unless the central authority possesses a power of decision and action independent of the wills of the separate governments. Briand's plan for European union, involving a sort of council of governmental delegates acting under instructions from home, was certainly not a federal conception. One of the most widespread misconceptions about international federation is that it may result from, or be sustained by, a simple abdication of sovereignty to an agency which is only defined on paper. Moreover, if the power of the central organs emanates solely from the authority that each governmental subdivision grants, then that central will is subordinate to the separate wills—at least in their aggregate. Even though majority

procedures be substituted for those of unanimity, a dissentient minority could withdraw or terminate its contribution of men, money, materials, and other instruments of power at any time. The inherent weakness of a league or confederation would not have been overcome.

The government of a federation must, therefore, develop its power from sources (at least in part) independent of the national governments. The bases of power in this connection are threefold: political (or representative), financial, and military. Policy-making officials of the central government must (at least in part) be chosen by direct or indirect election. There can be no such thing as a federation which includes totalitarian regimes denying free political action. The United States Constitution recognized the necessity for direct and indirect elections instead of appointments by the executive power of the several state governments. Bismarck's decision to advocate a national German parliament elected by universal franchise resulted from his clear recognition of the need for generating a political force strong enough to override state particularism. The development of political parties across state frontier lines is thus facilitated, and this development in turn provides a new unifying basis for the federation. Again, the proposal for a federal union of the democracies has seized hold of an essential attribute of federation. There can be a real federation only where domestic conditions permit the organization of people in their private capacities, the holding of free elections, and the maintenance of representative institutions. Only thus could an independent basis for the power of the federation's central government be obtained.

The second basis of power is financial, and that also must come from the people through the power of direct taxation, rather than through the device of levies upon state governments.

Given financial independence, the third basis—military power—can also be found in the people through direct recruiting and organization of personnel. Moreover, the central government must, through this independent force, maintain a military mo-

nopoly. It should be noted again at this point that the implications of the Streit plan differ sharply from those of continental or world federation. Democratic union advocates do not (or, at least, did not) conceive the military function as that primarily of preventing civil war, but of consolidating forces for defense against some enemy without. European, or world, federation, on the other hand, is generally thought of as a device for curbing some aggressor within the association. It should be unmistakably clear that the union of democracies on this score faces an easier task because of its greater cohesion.

The foregoing observations were not prepared as a brief for or against any particular project for international organization. Their purpose is simply to suggest the need for a more thoroughgoing analysis of a concept which has been so frequently and loosely employed in the literature of liberal-democratic world planning. All of this speculation will, of course, have been utterly futile if the Axis triumphs, since no opportunity will be provided for the free association of peoples. In the event of a United Nations victory, at least a possibility exists that the federal idea, or some diluted form thereof, will receive favorable attention in the task of political reconstruction. In terms of practical politics, the constitutional crystallization of such a union might follow, rather than precede, the slow *ad hoc* development of a number of specific institutional arrangements performing a variety of functions.

In the light of the foregoing analysis, certain propositions dimly emerge: (1) A universal federation, in any approximate use of the term, is merely a distant dream. This does not rule out a universal "league." (2) The concept of European (regional) federation suggests the existence of greater politico-psychological obstacles than could be overcome within any reasonable period following the present war. (3) The idea of a federal union of the democracies, based at the outset on the participation of the United States and the members of the British Commonwealth, is intrinsically sound when tested by a number of the above principles.

This does not imply an endorsement of the Streit or similar plans. Political ideas can be realized only within their appropriate time-settings. Whatever may be said for a British-United States, or even a democratic, union at other times, might be left unsaid today when it is important to capitalize to the full on the collaboration developing within the United Nations. By no stretch of the imagination does the Soviet Union, (or even China) maintain that which is necessary to participation in a federal system. At the same time, the exigencies of the war and of the peace to follow call for the strengthening of the United Nations. If their unity can not attain the integration which the federal form implies, that unity should nevertheless be developed for such as it is. The federation of peoples living under free representative institutions (the only true federation) will then have to wait.

It need not wait for universality. Capacity to maintain a preponderant power-position would represent a sufficient condition for a federation which aspires to ultimate universality. Power will be necessary to maintain any ordered world, and enduring democratic federation will only be possible within an ordered world. If that power can not be generated from elements in every country of the world, it must be found somewhere. Preferably it should arise from those people who, because of the state of their political development, are more likely than others to exercise it in a moral manner. For if ultimate power be held by those societies in which moral and humanitarian forces are allowed to develop and operate unimpeded, therein lies the best chance (among present alternatives) for brutish power to be transmuted swiftly into "moral" power.

The National State and Federation

A NUMBER OF PROPOSALS have been made recently for a federation of nations.¹ They imply radical changes in the position and even in the nature of the national state. The task of accomplishing such a reform is, of course, stupendous. Is there a feasible approach to the problem? Can the state be reformed?

We should recognize first of all that the state has never before occupied so prominent a place in human affairs. It is omnipresent both in the regulation of the activities of the individual at home and in the promotion and protection of his interests abroad. It is ever active to safeguard its own independence and security. These are the obvious reasons why international relations have become so complicated. They also explain the highly competitive nature of the modern state and its tendency today to stress power even more than in the late nineteenth century when Heinrich von Treitschke, the well-known German historian contended that "the state is power." We may deny that the state should place such emphasis upon force and competition in its relations with others, but the evidence is overwhelming that it does in fact.

Starting with the thesis that power and the urge to compete are essential attributes of the modern state, what conclusions can we make? Von Treitschke reasoned that wars are inevitable and militarism must be looked upon as good. This philosophy has

¹ Among them are the following C. Streat, *Union Now*, Commission to Study the Organization of Peace, Preliminary Report, in *International Conciliation*, No. 369 (April, 1941), British Labor Party in *Labour, The War and The Peace* (February 9, 1940), H. O. Eaton, *Twentieth Draft Proposed Statute of the Federation of Free Peoples*.

proved highly nefarious, but fortunately is widely rejected, at least outside the Axis countries.

It has been the opinion of some persons that the power so characteristic of the state can be controlled. Typical of this view is the statement of Mr. Edward Jenks who, recognizing the value of power, warned, "Beware how you allow it to master you."² In answer to the query as to how this can be done, he replied, "By the exercise of intelligence." This reasoning is the foundation of internationalism, the philosophy of co-operation among states to achieve collective security and progress. It has been a basic assumption in the development of international law, international courts, and the League of Nations system itself. Undoubtedly internationalism has contributed much to human welfare in the promotion of trade, in the improvement of social and labor conditions, in postal communication, and in many other ways. It has also added much to the security of nations and furnished peaceful methods of terminating disputes between them. The history of the League of Nations and the World Court provides convincing proof of the constructive nature of internationalism. But internationalism has failed in the most important of all its undertakings—it has failed to prevent wars. Leaving the state unreformed with its right to formulate policies that cause war and with its right to fight virtually unrestricted except by occasional voluntary action, internationalism can scarcely be expected to prevent wars. Useful as they are, co-operative processes do not go far enough to be effectual where the need is the greatest. To end wars it is necessary to strike at those attributes of the state which make wars so apparently inevitable. We must recognize that the state, and not the individual, is inherently a fighting animal, and that it is the state and not human nature which must be reformed.

Along what lines should the state be reformed? Socialist doctrines allege that it is the capitalist state that makes war, and argue that it is necessary to free the state from its present capitalist control. They contend that, under capitalist domination, states

² Edward Jenks, *The State and the Nation*, 153

fight for raw materials and markets. This point of view has been refuted by Norman Angell, among others, who shows that wars do not win markets but are likely to lead to their forfeiture, and that in most respects the capitalist is adversely served by wars.³ It may be pointed out, too, that wars between states occurred long before modern capitalism came to exist; in fact, political groups have made wars throughout history regardless of the nature of their economy.

Any reform of the state which would have a chance of preventing war would have to deal with two phases of state action, both of which have come to be associated in some way with the ideas of sovereignty. It is necessary to take from the state, ultimately if not immediately, the power to make war, and even more important to deprive it of the right of independent action in matters most likely to lead to disastrous competition. Elimination of the power to go to war is more a matter of compulsory disarmament than a legal enactment of a provision against the use of force, although both are desirable. To avoid the competition which leads to war, it is necessary that trade, immigration, the conditions of labor, banking and many other forms of economic activity, and the government of backward areas be taken out of the sphere of state action. The result of all these alterations in the present state system would, when adopted, be federalism on a wide scale if not on a world basis.

The logic for such reforms, or for federalism, is imposing. World federalism would not only annihilate the forces that make war; it promises, too, to provide a better regulation of human interests and actions than the co-operative system of internationalism has been able to provide. Students of international relations are generally agreed that most economic and social problems are world-wide in their complications and that solutions by separate national action or by co-operative international action fall short of the requirements of human welfare. The control of the pro-

³ Norman Angell, "Is Capitalism a Cause of War?" *Spectator*, Vol. CLII (1934), 626.

duction and sale of opium, for instance, has been attempted on a national basis and also by international treaties operating with the aid of the Central Opium Board, but the progress achieved has fallen far short of the possibilities of legislation in a world federation. The co-operative system of the International Labor Organization has improved labor standards, but much less thoroughly than could be done by action by a federal union.

With the logic of world federation so convincing, it is not difficult to draft logical constitutional arrangements to support such an order. The difficulty is rather to find a constitution which states will be willing to accept. Relegating the state to an inferior position in a world federation is less a problem of logic than one of practical procedure. The question is not whether it should be done, but whether there is any way to do it. The state has dominated political thought and action for centuries. As it has changed, its hold has been strengthened. The tendency has been toward the glorification of the state along Hegelian lines, and to regard the state as superior to all morality. More and more it has come to possess in public thinking a certain mystic quality, to be looked upon as the "march of God on earth."

The wide prevalence, even in democratic countries, of this attitude toward the state is evident in the appeals made to the populace by politicians. A cursory glance at pages of the *Congressional Record* will show this. Mr. James Farley has said "We must realize that the United States is greater than each of us and greater than all of us."⁴ Representative Patrick recently asserted: "We must strive to lash our nation to the shores of eternity with bonds of steel."⁵ These statements are no different from those expressed in a long list of political speeches in this country for many years by able and conscientious men. They are cited as illustrations not of inferior thinking but of the usual thinking in a country well-educated politically.

This mystic quality attributed to the modern state and the

⁴ *Congressional Record*, November 7, 1940, 20837.

⁵ *Ibid.*, December 18, 1940, 21515

place it has come to occupy in popular thinking are greatly enhanced by nationalism. Peoples everywhere have developed a strong group consciousness, and they have written much of their political history on this basis. In the countries of western Europe, nationalism has been constantly growing stronger since the French Revolution. In China, India, and among the Arabs of North Africa and the Middle East, it is of more recent origin and even now is in the earlier stages of evolution. If the forces now at work continue unimpeded, the peak of nationalism will not be attained until some generations hence. Certainly the present war may be expected to leave national consciousness stronger than ever before in history.

In view of the important place occupied by the national state in life everywhere, is there any practical possibility that it may be reformed and a world federation constructed? Will the reasonable course of action be preferred over the emotionalism and sentimentalism which extol the national state? While there is no way of knowing the future, it is a safe conjecture that any plan for a federation of nations will meet with great opposition. This is one of the facts which constitution-makers must take into account. It is not a logical constitution for a federal union which will be most useful, but one best suited to men and nations as they are today.

To require that the world's constitution be brought within the range of contemporary thought and feeling does not imply that there can be no constitution. As nationalism and the power of the state have increased during the past century, so has internationalism. This is not a paradox. Both movements came in large part from the complications of modern industrialism. As the state has been more active in promoting the economic interests of its people, and consequently has become more powerful and dangerous, the substitution of co-operation for friction and war seemed increasingly advisable. Arbitration, administrative unions, international treaties, and finally the World Court and the League of Nations have familiarized many people with the

advantages of internationalism. Probably the twenty-year period following World War I saw both nationalism and internationalism reach a higher point of development than ever before. The outbreak of World War II in 1939 indicated, however, that internationalism is still much weaker than nationalism.

The movement toward world federation must be gradual. On its constitutional side it can not at any time be far, if at all, in advance of public thinking, or it will be unreal and unworkable. This has so frequently been shown to be true of government within states that it has become almost axiomatic. Changes wrought by evolutionary processes are more stable and permanent than those achieved by sudden revolutionary movements. The development of the British constitution by the slow process of gradual adjustment has always been a source of British stability and order in political matters. German experience with the Weimar Constitution of 1919 shows, on the other hand, the impracticability of abrupt revolutionary changes; from the autocracy of the Hohenzollerns to the democracy of Weimar was a longer step than the German people were able to take. Reaction followed the democratic ideals of the French Revolution, and throughout the nineteenth century the French constitutional structure was frequently in disorder.

The observation is frequently made that, if the thirteen American states could pass from the Articles of Confederation to the Constitution, so the world may pass from the League of Nations to a federal union. The analogy must be recognized as far from exact. The thirteen colonies were not nationalistic, nor in those days had the state reached its present position of power. Even the local patriotism which had existed within the separate states was not strong, and the beginnings of a new loyalty had been forged in the war for independence. In the world today there are more than sixty national states, with language and cultural differences far exceeding those of the early American states. They have a tradition of wars among themselves and are now in a conflict in which hatreds are again aflame.

These observations are not made to disparage or discourage groups working to construct projects for world reorganization after the war. They are offered only as statements of facts which can not be ignored by such groups without opening themselves to the charge so often made against persons who devote themselves to the prevention of war—the charge of impractical idealism. The surest road to world federation is the long one, a road which we cannot traverse within a few years time. It is reasonable to believe that, in the same gradual way that the national state has developed to its position of supremacy, it can be gradually relegated, step by step, to a position subordinate to the world community.

The constitution-maker readily thinks of many subjects which he would release from independent state action: banking, currency, trade-marks, weights and measures, social conditions, the conditions of labor, trade, the protection of the rights of the individual, the government of backward areas, and so on. While the logic is all on his side, everything else—popular thinking, the strong position of the state, and vested interests—are against him. He must, therefore, compromise and be satisfied with a much weaker world organization than he would like, placing only a small number of interests under it. This is a point of view which some of the plans for the postwar period have embraced. The British Labor Party suggests that the world authority “control such military and economic power as will enable it to enforce peace.”⁶ The British League of Nations Union recommended that “the minimum limitation of national sovereignty” embody disarmament, the abolition of the national use of force, and the compulsory settlement of disputes.⁷ The plan of the United States Commission to Study the Organization of Peace would go much further, limiting the attributes of sovereignty in the settlement of disputes, the use of force, armament, economic activities, in the

⁶ *Labour, The War and The Peace*, Declaration of Policy (February 9, 1940)

⁷ *World Settlement After the War* (London, British League of Nations Union, October 10, 1939)

protection of "certain human and cultural rights," and recommending international control of communication, of backward areas and the creation of an international legislative body "to remedy abuses in existing law."⁸

The criteria for the selection of subjects to transfer from national to international control are: (1) importance as a cause of war; and (2) the support obtainable from the public for such transfer. There would be differences of opinion in the application of these criteria. But a selection must be made, perhaps only two or three from the long list which may ultimately be transferred. If only one of them, such as control over the solution of controversies between states, were to be placed completely under world control, substantial progress would have been made.

Whatever transference of power from the state to the world might be achieved after this war ought to be accompanied by a provision for periodic conventions, perhaps every five or ten years, to examine proposals for the transfer of other interests to a basis of world control. If this procedure could be continued for some time, the modern state will ultimately be reduced to a position somewhat like that of the forty-eight states of the United States, and a genuine world federation will have evolved.

Because this is a very slow method of reforming the state and creating a world union, an alternative has been proposed. It is based upon the assumption that the peoples of some states are ready for a federation, while others are not. The proposal is for a federal union with a limited membership, with a procedure for the admission of other states when they have become ready. Mr. Streit, for instance, suggested a union of the democracies.

It must be realized that the exclusion of certain groups by the erection of standards of membership which they can not meet will carry certain serious disadvantages. The outsiders become very naturally an opposition group. The result is not unlike the

⁸ Commission to study the Organization of Peace, Preliminary Report, *International Conciliation*, No 369 (New York, Carnegie Endowment for International Peace, April, 1941)

old system of alliances, which by long history has shown itself capable at times of postponing wars but not of preventing them. It was one of the weaknesses of the League of Nations that the peoples of Germany and the other countries defeated in 1918 came to regard the whole institution as a method of perpetuating the alliances of the war period.

The argument is advanced that outside states, observing the advantages gained by membership in the federation, will hasten to improve and thereby make themselves eligible to be members. This is not the most likely sequence. The more natural reaction of human beings to organizations from which they are excluded is antagonistic. They resent the implication that they are inferior and set out, not to qualify as members, but to obstruct and defeat the new organization.

In the long run what appears the slowest method of submerging the state in a world federation is likely to be the quickest. If it can be undertaken with the advantages that a peace without revenge can provide, much time would be gained at the outset. The democracies have a good opportunity at this point to demonstrate a genuine superiority of character. In the end it is only good will that can bind together the peoples now so suspicious of each other. This is probably attainable, but there is no way of producing it suddenly in place of the attitudes so long nurtured within the national states. Certainly to divide the world after this war into two camps, the superior who are ready for a federal union and the inferior who are excluded, is an unhappy and egotistical way to begin such an effort.

XII

A World Legislature

THE present writer has contributed suggestions, as have many others to a far greater extent, which have found their way into the final shaping of the "Proposed Constitution of the United Nations."¹ He therefore regards it with a certain tenderness, and can not suppress an expression of the hope that it may contribute materially to the cause of federation which it is meant to serve.

In spite of his attachment to the common enterprise, however, the writer must confess that he is not in full accord with the completed work. If this were Athens in Socrates' day, he would probably have been invited to drink the hemlock along with that venerable philosopher. Instead, the other contributors have graciously invited him to express his contrary opinions freely in this chapter. This is an evidence that times have changed, but it is also an evidence that the purpose of this work, which is to investigate the problems of federation impartially, is no less real than avowed.

Impartiality is the very foundation stone of federation. Without it neither the discussions leading up to, nor the structure embodying, federation would prove worth while. Whoever is of a mind to cope with the problems of international organization must, if he is to succeed, be willing to consider all of the factors involved. This may sometimes require one to look upon the unpleasant as well as the pleasant aspects of the problem and to turn aside from the most ideal solution to the most practicable. Unfortunately, the practicable is not always self-evident. It sometimes appears evident, but may be regarded differently by different individuals. Like everything else which is in part or wholly

¹ Appendix, pp 211-27

dependent upon human belief, it is subject to interpretation, and interpretation may frequently be mistaken. The writer does not pretend, therefore, to the attainment of any absolute principles, but professes merely to express what he believes to be practicable under contemporary conditions.

It is hardly necessary to point out that world federation seems possible at this time only because the present world conflict has destroyed so much of the old system which engendered this struggle. Nevertheless, there is enough of the old system left to force us to take it into consideration when we build the new one. This means clearly that there are certain institutions which we can neither destroy nor disregard, and it is no less necessity than wisdom to accord them a prominent place in the new society we hope to construct.

One such institution is the national legislature. After a careful study of the treaty-making provisions in democratic constitutions, I have come to the conclusion that any agreement for the establishment of world federation, within a democratic society, would require the prior approval of the national legislatures. This would mean that any proposal which disregarded the real or supposed interests of those bodies would have no hope of adoption. It is worth while, therefore, to take a moment to examine the factors which impel the national legislator to act or to refrain from action in his official capacity.

The interests of the national legislator appear to be threefold: (1) an interest in national destiny; (2) an interest in parochial problems; and (3) an interest in the power of the legislature *per se*. If the national purpose could be expounded safely in an atomistic world, there would be no incentive for the national legislator to approve any international union. Recent events have made it apparent, however, that national security will never be assured until international union is effected. It seems reasonable to conclude, therefore, that those national interests which formerly influenced the legislatures to oppose federation, may now militate in favor of it.

The parochial interest of the national legislature is of some concern. It has frequently been strong enough to defeat important treaties in certain democratic nations. Through the process of logrolling, the interests of a particular locale have been exalted over those of the larger community. As a result, many beneficial agreements of an international character have been sacrificed without regard for the general welfare. An international agreement designed for world federation may very well be confronted with this insidious practice in certain national legislatures, but it will not be sufficiently extensive to cause any real difficulty.

The interest of the national legislator in maintaining his own authority through that of the legislature itself is by far the most significant factor and the most subtle with which we have to deal. The struggle between the legislature and the executive for control over foreign affairs has, of course, been less apparent in parliamentary forms of government than in congressional forms, but it is time-honored everywhere. This struggle has been due not so much to a fear of the executive as to pride in the capacity of the legislature. Such pride is entirely commendable from the democratic point of view, but commendable or not, it is certainly a fact which must be taken into account.

The question may now be asked whether the national legislature, jealous of its own prerogatives, would willingly consent to a plan for federation which places the control over international relations in an independent legislative body. It seems to me that the answer must be a negative one. The legislator who stubbornly insisted upon participation in foreign affairs when the executive power of his own nation was the rival is not likely to relinquish participation to an entirely extraneous body. Plans which provide for the election of an international legislature by an international electorate would be perfectly reasonable if it were not for the fact that such plans have to be approved by the national legislatures. They, in turn, though perhaps willing to have federation, are not willing to approve of a federation which denies them all voice in the decisions to be made thereafter. This

point of view is not condoned or condemned—it is merely acknowledged.

Obviously, if the national legislatures of the world desire federation but insist upon direct participation in the world government, a plan must be devised whereby they can participate in that government to their own satisfaction and to the satisfaction of the federation itself. It may be a mistake to suppose the national legislature to be irreconcilable on this question of participation in the world government, but if it is, no harm will come from an expression of this mistaken view, whereas if it is not, a failure to consider the possibility might cost us our goal of federation.

The most obvious kind of legislature—which is universally proposed—is one elected by the world populace. Such a legislature would represent the people directly and would therefore be most desirable in a democratic society. It has the disadvantage, however, of setting itself up as independent of and superior to the national legislatures, although the legislators themselves will no doubt find more palatable reasons for their stand.

The problem is to reconcile the legislative desire for participation in the world government with the legitimate desire of the people to be represented also. There are many ways by which this might be accomplished, two of which seem to be most feasible. The first is to have the executive elected by the people. The second is that the people be represented in the international legislature *indirectly* by having it composed of representatives of their direct representatives.

The legislative machinery capable of meeting the objections of the national legislatures, the world electorate, and federation itself is obviously a matter of major importance. It should be understood throughout this discussion, however, that the existence of democracy is a basic assumption. This means simply that at least one house of every national legislature must be elected by the people. In other words, it is taken for granted that the people of every nation are guaranteed representation in their national legislature. Without such a guarantee federation would become

empire, and empire is intolerable to a free and self-respecting people.

The World Senate. To meet the legislative demand, it is suggested that the main legislative organ of the world should be a body composed of representatives from every national legislature of the world. This body might be called the world senate. It is further proposed that each national legislature be represented by two senators. The senior senator would normally be the only one entitled to a vote, but in his absence the junior senator would be permitted to exercise that right. With two senators instead of one, it is more likely that one would always be present on the floor of the senate when his services were required.

World senators would serve at the pleasure of the legislatures they represented. It is to be presumed that they would not themselves be members of the national legislature, but would be the chosen servants of it. While they would be free to exercise their own judgment in voting, they could be recalled at any time for any reason, and it is to be expected that they would be exceedingly responsive to the wishes of their constituents. If the national legislators were in turn responsive to their constituents, as they should be, the people would be fairly represented in the world body.

It should be obvious that equal representation in the senate is designed to protect the interests of the smaller nations. It should be just as obvious, however, that some other provision must be associated with it to protect the interests of the larger nations. The superior vote of the smaller nations in the senate must not be permitted to endanger the legitimate interests of the larger ones. A reconciliation of interests is made possible by a method of legislation which will presently be described. This method permits the smaller nations to veto at the outset any proposal which might harm their interests, and allows the larger nations the final veto of any proposal which might harm their interests. At the same time, it is designed to facilitate agreement on matters of mutual concern, and is capable of assuring that a final vote approving a proposal will be representative of a ma-

jority of the world's population. Such a device secures to nations large and small and to the general populace a safeguard for their several and collective rights and interests.

The constitutional provisions for federation would, of course, include authority for the senate to perform certain limited acts. Such, for example, might be the acquisition and expenditure of funds for the maintenance of the government. The powers granted to the senate by the constitution, however, would be entirely inadequate to meet all the demands of federation. This is to be expected when one considers the long history of nationalism which has encouraged the fear of a strong federal world authority—whether that authority be legislative or executive. Accordingly, provision must be made for something equivalent to a permanent constitutional convention from which the senate may procure authority whenever it is needed. This unique body would be composed of the national legislatures of the world, and would bear the collective title of world conclave. It would participate in certain kinds of world legislation and thereby assume direct responsibility for the acts which are approved.

Administrative and political law. In order to understand the process by which the world conclave would participate in world legislation, it is first necessary to make a distinction between political and administrative law. Administrative law would be any law passed by the senate under authority of a prior grant of power. Political law would be that law which granted the senate the right to pass administrative law. Thus, for example, the constitutional provisions authorizing the senate to raise funds would be regarded as political whereas the actual fund-raising laws passed by the senate would be regarded as administrative law.

As already indicated, the political law contained in the constitution would be inadequate to meet every need of the federation. In order that the senate may pass administrative law, further authority to do so would have to be conferred upon it. This authority would come from the world conclave, which in that respect would be on a par with the constitution.

Lex Suprema Mundi. When the world senate desired authority to deal with a certain problem, it would introduce a bill to that effect. If the matter were of general concern or one which required general observance to give it meaning, it would, when adopted in the manner to be described, become *lex suprema mundi*, or supreme world law, and binding upon all nations and their peoples. A bill of the kind *lex suprema mundi*, when passed by the senate and approved by the chief executive, would be sent by special cable or other means of immediate communication to the several national legislatures of the world. Each legislature would be obliged to consider the bill and to approve or to reject it within thirty days, although if expedient, the time limit could be extended by the bill itself. Failure to act within the time prescribed would be taken to signify approval. For purposes of evaluating the vote, any nation having a population of more than forty million inhabitants would be classified as a populous state. If a majority of all of the nations of the world, including a majority of the populous states, should approve a bill *lex suprema mundi*, the bill would become an act by authority of the national legislatures in world conclave assembled. Accordingly, the senate would then be empowered to enact administrative law necessary to give it effect. It should be mentioned at this point that national legislators would receive compensation for their services as members of the world conclave.

Lex mundi . . . Deligendis. It is conceivable that matters will arise which concern only a few nations. When the senate considered action necessary with regard to such matters, it would introduce a bill just as it would in the case of *lex suprema mundi*. In this instance, however, only those nations concerned need act upon the bill. Moreover, the resulting law would be applicable only among those nations whose national legislatures had approved it. It would be known as *lex mundi pro civitatibus deligendis*, or world law for the states choosing it. When it had been approved by the proper number of nations, or particular nations, as the bill itself might provide, the senate could then enact ad-

ministrative law to carry it out. Obviously, *lex mundi . . . deligendis* would amount simply to agreements of convenience among a limited number of nations. The advantage of having it first introduced in the senate, however, rather than entered into directly through treaty negotiation, would be to ensure that no such agreement could be detrimental to the general welfare. If the senate must first approve it and must later give it effect, the danger of any two or more nations entering into agreements detrimental to the world cause is obviated.

Senate discretion. Before introducing a political bill, the senate must, of course, decide whether it might better be *lex suprema mundi* or *lex mundi . . . deligendis*. Obviously, the latter would have a greater chance of securing the necessary approval in the world conclave, although the former would have a more extensive application. In either case, the final decision would be made by the legislatures themselves. Of greater significance would be the interpretation the senate placed upon the political laws which were enacted. Thus, for example, the senate might consider itself authorized by a particular political law to enact certain legislation which it in fact was not authorized to do. Any nation which believed the senate had overstepped its authority in this respect could appeal the matter to the supreme court. The court would then decide whether the action of the senate was properly administrative or political, and the decision of the court would be final.

Advantages of the method. This involved legislative procedure has many distinct advantages. In the first place, the national legislatures of the world are allowed direct participation in the international government—a condition which they are likely to make an absolute requirement of federation. Moreover, the small nations as well as the large ones are provided with a veto for the protection of their interests. And lastly, in the case of *lex suprema mundi*, any law approved by the senate and the world conclave would have been subjected to the scrutiny of representatives of the entire world population and approved by:

(1) a majority of all of the nations of the world; (2) a majority of all large nations of the world (i.e., nations with more than forty million inhabitants); and (3) a majority of all the people of the world through their representatives.

Presidential vs. parliamentary executive. It has already been suggested that one advantage in a presidential executive, from the people's point of view, is the direct representation they thereby secure in the government. From another standpoint, the presidential executive is to be preferred to a parliamentary one because the latter is especially subject to conditions which are unfavorable to the continuation of stable democratic government. This is a historical fact.

It is not fashionable to contend that the legislative and executive functions ought to be entirely independent. Certainly the present writer would never think of doing so on the basis of any absolute principles. But experience has shown that there are certain decisions which are peculiarly executive. If the legislature insists upon making executive decisions, there is nothing that a premier can do about it except resign, and the government suffers from the inevitable mistakes. Usually a legislature intent upon such a policy will purposely select a weakling as its premier. Consequently, such an individual, when allowed to make his own decisions, usually fears to do so lest he lose his office, and the government flounders in indecision. This is not a hypothetical description, but a historical one.

Usually as a reaction to the kind of parliamentary government described above, an executive dictatorship may arise. A premier, noting how his government has rotted from within and fearing its overthrow, may perform a coup d'état and seize unconstitutional power. Under these conditions the situation is reversed, and the government suffers from executive abuse. This, too, is not a hypothetical description, but a historical one.

The most dangerous kind of degenerate parliamentary government is the bureaucracy. It results when factional differences are so great as to require coalitions in order to maintain a govern-

ment in office. Coalition government is itself a danger because the rapid overturn of ministries makes for instability in major governmental policy.

The homogeneity of the British Parliament has made coalition government unnecessary or at least harmless. There, only a few parties are capable of assuming direction of the government, and consequently the policies of the government are reasonably stable. Such a parliamentary government is the only kind capable of providing stability in times of peril. As has already been indicated, such a government is not possible when the legislature is heterogeneous, for heterogeneity means coalition, and coalition means instability. Whether heterogeneity is due to parties, as in France, or to nationalities, as in any world legislature, is of no importance. The important thing is that heterogeneity means instability, and it seems foolish to invite this danger when it can be avoided by means of a presidential executive.

The presidential executive. It is proposed that the presidential executive be elected by the people from among nominees of the world legislature. Nominations in the legislature probably would not be subject to national considerations. There will always be one or a few individuals in the world upon whom it would seem natural to confer the executive office, and public opinion would not permit these men to be overlooked. In a world democracy they would stand out above all others, and no political or national considerations would be permitted to interfere with their selection. But even if nominations in the world legislature should be subject to political maneuvering, the stable tenure of the executive would make this preferable to the ever-recurring politics of a parliamentary office.

The final determination of what is practicable in world government will, of course, be decided by the world electorate. Therefore, all of the proposals contained in this volume, including this one, have been designed to stimulate thinking rather than to stereotype it. The road to union is a broad one, and the surest way to find it is through honest expression of sincere belief.

Editorial Comment²

We welcome such a forthright dissension from our proposals as the present contribution. Mr. Bergman's proposals demand careful scrutiny in order to bring certain vital points of divergence into sharp focus.

(1) *Basic motivation of national legislators.* Mr. Bergman is of the opinion that national legislators' jealousy of their prerogatives will preclude their being willing to create a supra-national legislature. To this we say that if a world federation is created, it will be only because there is such a political ground swell of popular demand for it as an effective means of outlawing war that national legislators will be compelled to listen to the *vox populi* or be replaced by legislators who will. A proposal for world federalism which achieved success primarily because it was of such a nature as to appeal to national legislators *qua* national legislators would clearly be a very weak version of federalism, probably resembling very closely the late-but-not-lamented League of Nations. Furthermore, it should be kept in mind that the outstanding leaders of each of the national legislatures called upon to ratify such a constitution would quite naturally and pardonably look forward to "a larger sphere of action" as members of the world legislature. They would therefore not wish to restrict the powers of the supra-national legislature, particularly in those spheres of activity which will condition its success or failure.

For these reasons it would seem to us that Mr. Bergman's proposed legislative technique whereby any proposed *lex suprema mundi* must be approved by the several national legislatures each sitting in its own capital and functioning as a part of the "world conclave" would constitute a most cumbersome and inadequate machinery—and one which would give full play to the parochialism of national legislators which Mr. Bergman rightly deplors when we are concerned with world problems. The only possible way to settle world problems (or village problems either) is to allow the responsible political agents to meet face to face and

² By Howard O. Eaton

arrive at the effective working compromise which means successful government. Such a face-to-face meeting would be impossible in Mr. Bergman's "world conclave."

(2) *Form of the executive office.* We wish to point out that Mr. Bergman's argument rests largely on the assumption that a legislature which was intent on making executive decision would purposely select a weakling as its premier. To cure this defect, Mr. Bergman proposes a popularly elected president, but is compelled by the logic of international politics to place the nomination of the president in the hands of the world senate. We feel that if there is danger that a world legislature would select a weakling as premier, there is (owing to the inherent jealousy between executive and legislature which Mr. Bergman himself recognized) equal reason to believe that it would nominate a weakling—or several weaklings—as president. During times of world crisis (such as the present), one man might obviously compel consideration because of his evident fitness. What we must consider here are the tendencies which would normally be manifest. The two types of executive—presidential and parliamentary—must be kept clearly in mind in order that we may make an intelligent choice between them.

(3) *Types of world legislation.* In conclusion we wish to register our essential agreement (except for terminology) with Mr. Bergman's three types of world legislation, namely, administrative law, political law, and optional law. The proposed statute published in the Appendix of this book represents our view as to the scope and character of "political law." In essence, the methods of amendment of this statute which we propose do not differ markedly from the techniques of legislation proposed by Mr. Bergman for *lex suprema mundi*, except that for us this appears essentially a constitutional process, to be undertaken only when modification of basic political concepts appears necessary. Our proposed statute provides for administrative law under the head of any act of the congress; Mr. Bergman proposes that this type of law be enacted by the world senate. Both proposals agree that

any question as to the correctness of any classification of a law as being either administrative or political (i.e., constitutional) shall be settled definitely by the court. What Mr. Bergman proposes as optional law (*lex mundi . . . deligendis*) is equivalent to what we propose in Article 34, where two or more member states may affiliate for specified purposes under the general supervision of the congress.

. . . .

In reply to the foregoing editorial comment Mr. Bergman offers the following considerations:

Vox populi vox Dei, the voice of the people is the voice of God, one may hear from a thousand democratic platforms. If that be so, however, the articulate voice of the legislature is the still small voice within. In my opinion, *vox populi* is going to be so busy after the war enjoying the first delightful delirium of peace that it will indicate its desire for federation and leave the details to the national legislators. No one questions that they will present some form of federation, but it will either leave the control in their hands, or be unacceptable to all concerned and therefore die an unnatural death. There will be few bold enough to threaten removal to a victorious and probably vainglorious legislature. That is why I have proposed a system of federation which, in my opinion, gives the national legislator what he will take anyhow, and yet provides for a federation which will be strong, capable in itself, and reasonably responsive to changes in public opinion.

The greatest defect of a world parliamentary executive lies not so much in the fact that he may be a weakling, but rather that he will never be in office long enough for a stable governmental policy to develop. With so many nationalities represented, coalition government will obviously be necessary. Are the advantages of the parliamentary executive, then, sufficient to warrant inviting this danger?

XIII

Postwar Pacification in Europe

PERHAPS never in the history of mankind has such an amount of hatred and mutual distrust been accumulated as there will have been by the end of the present war, because never before were such treacherous vices committed on such a gigantic scale, daily publicized by the radio and intensified by the most elaborate war propaganda. No new world order on a sincere and stable basis can be imagined until this enormous mire of hostile emotions and prejudices can be canalized.

It will be one of the crucial tests of federalism whether or not it can offer the necessary remedies for this situation. After the war we shall face a most acute conflict in southeastern Europe, in that territory between Germany and Russia which has for centuries constituted the danger zone of Europe, because the building up of solid and permanent nation-states has here been frustrated by the dozen small national groups fighting desperately for independence and occasionally for hegemony. They have been continuously confounded or harangued, one against the other, by the conflicting interests of rival imperialisms, especially those of Pan-Germanism and Pan-Slavism. After the transitory annihilation of this world by Germany through Quisling activities, through the economic subjugation of the small states, and through blitzkrieg, the peacemakers of the victorious democracies will be faced by two great tasks: the one, not to allow the hatred of the liberated countries (Germany included) to assume the form of a disorderly vengeance and blood-bath; the other, to eliminate the secular distrust and rivalry between the small na-

tions in the danger zone and to substitute for it the spirit of mutual confidence and co-operation.

It is one of the deepest convictions of the supporters of federalism that both tasks can not be accomplished on the basis of the prewar state system. Therefore, most alarming to the friends of a lasting peace is the frequent emergence of so-called peace plans which, in a more or less hidden language, emphasize the necessity for the re-establishment of the prewar system of distinct national sovereignties. Of course, the authors of such plans express their admiration for certain vague forms of federalism or pay compliment to a new, "better" league of nations; but discounting their rationalization, the realistic observer will not fail to understand that what they have in mind is really not true federalism but the reconstruction of a new balance-of-power system, planned primarily to operate against a defeated and humiliated Germany, but occasionally also against Russia. There are now three great historical forces which are opposed to federalism in the true sense: (1) the acute nationalism of the small states, which may even grow after the defeat of the nazi oppression; (2) the legitimistic revival of the forces temporarily destroyed by World War I, which are now trying to regain power under a Hapsburg restoration in Central Europe, strongly supported by the Roman Catholic Church and by all prewar conservative circles (hence the loud admiration for the recent and misunderstood work of G. Ferrero); and (3) the still living ideology of a communistic world revolution which intends to remold the old structure of central Europe under the leadership of communist Russia by establishing, instead of a federation of free nations, the dictatorship of the proletariat following the Russian or a new, somewhat mitigated, pattern.

One thing is perfectly clear: that the returning of the prewar system with or without the League of Nations has become an anachronism. The tendency towards economic integration and cultural co-operation is so imperative that the restitution of small independent states has become a reactionary policy, impo-

tent and hopeless. Also any plan to reconstruct the League on the basis of the co-operation between sovereign national governments would lead us again to the same difficulties to which the old League of Nations succumbed. It is lamentable blindness for certain people still to believe that by putting two or three new articles into the Covenant of the League of Nations, a new and more efficient international guarantee of peace can be established, and to shed tears about that insincere and not-thought-through document which was the Geneva Protocol.

One can not argue any longer with people who still believe in a purely legal cure for war and who did not learn that the pitiful impotence of the League was not due to its jural provisions or to the shortsightedness of the leading statesmen, but exclusively to the fact that the governmental organs of sovereign states can not generate a common will for common action, but will be inevitably directed towards selfish national interests. Professor Alfred Zimmern, though avoiding this ultimate conclusion, has admirably shown that the real sickness of the League was not legal or administrative, but rather the lack of real cohesion and community of purpose. Already in 1936 when respectable diplomatic and professional opinion (perhaps Professor Zimmern himself!) still regarded the League as a bulwark of the future, he wrote: "It is sufficient to say that the experience of fifteen years has shown on the political side . . . prolonged activity at Geneva tends to exercise what can only be described as a mechanizing influence. The cosmopolitan milieu is the reverse of life-giving. Perpetual adaptation to external standards and stimuli, unrefreshed by contact with the moral forces inherent in a genuine community life, ends by confusing the intelligence, paralyzing the will, and dulling the faculties of the soul. These, rather than any inherent defect in the individual human beings concerned, explain the torpor which has come over Geneva during the successive violations of the covenant in recent years. Experience has shown that those who live under such conditions . . . develop an instinctive mechanism of self-protection which leads them to cul-

tivate deliberate insensibility, or what is often called in Geneva, *sang-froid*. Such officials become automata without realizing it themselves. They lose the capacity which is the great strength of ordinary public opinion for spontaneous moral reaction to political events. Everything great and small, tragic and commonplace, is put on the same uniform level of routine procedure. The hunt for a formula goes on without interruption during an earthquake."¹

The description of the sickness here is perfect, but the diagnosis does not go deep enough to recognize that the real ailment is the inherent frailty of the League structure itself. The officials of the League became automata because they were pulled by the influence of the leading statesmen, who were not statesmen of the League, but of their respective sovereignties. This experience on a world scale was amply supported by experiments on a smaller scale. The Little Entente, the Balkan Entente, and the efforts for a Baltic Federation collapsed for the same reason—that there was no common will behind those organizations and plans, except the desire for self-defense. The alliances were immediately abandoned when Germany thwarted them by offering seemingly more efficient remedies for the maintenance of the national sovereignty of the individual states.

After the tragic experience of World War I, it became evident that small states could not exist in the future either militarily or economically and that any protection promised them which is not based on a genuine federal structure, on the alliance of free peoples forming a common government with a common administration and military force for their common task, will necessarily collapse under the pressure of power politics.

The importance of the term "free people" is also not sufficiently realized. Even sincere advocates of the scheme of federalism often think that free peoples are those who would freely adhere to a federation guaranteeing security from aggression, and who are not in colonial bondage to the great powers. Such a def-

¹ *The League of Nations and the Rule of Law* (London, 1936), 478-79

inition, however, is incomplete and can lead to dangerous consequences. No federal structure which is not constituted by free peoples in the true sense can be workable. Some theorists think that the difference between democratic and other forms of government should not be overemphasized. They think that the difference is only one of degree, and that practically all people with good and peaceful intention may participate in federalism. Yet this difference is a very real one if it is not based simply on the *nominal* existence of a bill of rights. Recent experiences have abundantly shown that in many cases a bill of rights does not mean much; it can remain simply a paper document. However, there are concrete facts by which we can easily discriminate between a free and an unfree nation. The conditions which make a nation free are the following: universal suffrage, freely exercised; a free and open party system; free press and free discussion; a decent minimum existence for the majority of the population; a high degree of literacy among the citizens; an adequate separation of powers in the government, with the independence of the judiciary assured, and a sufficiently long tradition in the exercise of democratic institutions. Without these prerequisites no stable federal structure can be created.

The disregard of these considerations vitiates, it seems to me, some of the conclusions of the important essay of President Beneš on "The Organization of Post-War Europe."² Dr. Beneš regarded as the nucleus of the future central Europe a Czechoslovak federation with Poland. Everyone who knows the profoundly backward political structure of postwar Poland, the feudal military dictatorship which prevailed there, the corruptive influences of the colonels, will have serious doubts concerning the workability of such a plan; the more so because only the Czech part of former Czechoslovakia could be called a democracy according to our definition, whereas the Slovak and Ruthenian parts of the republic, which lived under Magyar feudal domination for centuries, were extremely backward territories politically, culturally, and

² *Foreign Affairs*, January, 1942.

socially. A similar difficulty may arise concerning the Hapsburg problem which is so strenuously supported by all conservative and reactionary influences. Of course, Dr Beneš, a truly liberal statesman, repudiates the idea of a Hapsburg restoration from both the points of view of principle and of expediency. However, he makes a very important and dangerous reservation: "In spite of the foregoing—I stress the fact that after the war the nations of Central Europe must decide their fate themselves. This is a self-evident democratic postulate. If one or the other of them decides freely and with the approval of the majority of the population for a restoration of the Hapsburg or another royal family . . . it can I think expect its decision to be respected."³ This statement practically opens the door for a Hapsburg restoration in Hungary, in Croatia, and possibly in Austria (as long as the Austrian Social Democratic party has no opportunity to reorganize its decimated ranks thinned by the Nazi rule and by the emigration of its best leaders). The nations of central Europe will not become "free nations" by the sheer fact of their liberation from the yoke of Hitler; they must be made free nations by an energetic and far-sighted policy. In their present social and political structure those nations would fall easy prey to feudal, plutocratic, and clerical influences.

Therefore, it can be urged that after the victory of the democracies the whole new order should be put under their guidance. The federal union of the Anglo-American nations and of the few liberated countries which already before the war were duly regarded as free peoples—such as France, Italy, the Scandinavian countries, Holland, Belgium, Switzerland, and the democratic parts of Czechoslovakia—is the only organization which could be the basis of a real democratic order. All the liberated countries must be put under the temporary surveillance of this democratic union. This union should say to the small nations approximately this: "All right, you are now liberated, and you are asserting your sincere will to maintain the peace and to elaborate a real demo-

³ *Ibid.*

cratic political structure. We, the union, shall protect and strengthen you in this endeavor. You may elaborate your own structure of government, you may federate with those neighboring countries with whom you feel a genuine community of interest and solidarity in certain traditional cultural values. You can not have an independent army, but only contingents in the army of the union; you can not establish protective tariffs against the other states without the consent of the union; you must establish, under the control of the union, universal equal suffrage with secret ballot; you must settle your frontier controversies on the basis of the broadest plebiscite controlled by the union; you must carry out a thoroughgoing land reform with the help of the union; and you must guarantee a minimum of nationality rights for your minorities, which will remain inside your administrative frontiers even after the plebiscites have been justly carried out. If this and the other conditions are fulfilled, and if you prove that a real democracy is working efficiently in your countries, then you may determine the final form of your government and may become equal members of the federal union."

In this scheme the necessity for agrarian reform is supreme. It is the greatest political naiveté to believe that the oppressed people on this territory will ever become free nations without the expropriation of the feudal estates and without the wholesale reform of the antiquated agricultural structure of southeastern Europe, on the basis of an independent co-operative peasantry well equipped with the necessary credits and technical implements. Without such a profound reform, the idea of federalism would be as absurd as to begin new life in the unfumigated apartment of a cholera victim.

Such a political structure is also the only guarantee for making an end to the vexed nationality problems which, by inflaming Europe, were prominent causes both in the first and the second world wars. In the framework of a democratic federation under the control of the union, these problems could be solved. There is not the smallest reason why the method so victorious in Switzer-

land can not operate equally well in central and southeastern Europe. It is a question of organization, of growing culture and economic prosperity without which the old situation with its nationality struggles, *irredentas*, and forcible assimilations will return. Only those who believe in real federalism can hope to solve the nationality problem. It is therefore surprising that so genuine a liberal and humanitarian as President Beneš comes to the amazing conclusion that "it will be necessary after this war to carry out a transfer of population on a very much larger scale than after the last war." Of course, "this must be done in as humane a manner as possible, internationally organized and internationally financed."⁴ After the experiences of such transfers following the first world war, and after the criminal experiments in this line carried out by the Fascists and the Nazis, one must deny the right of any state to experiment in uprooting national minorities which for centuries have lived and worked on a territory which they regard as their beloved home.

Likewise, under the rigidity of the old state system, the rights of the minorities, which always will exist, can not be really guaranteed. Dr. Beneš himself acknowledges this fact when he says: "The protection of minorities in the future should consist primarily in the defense of human democratic rights, and not of national rights. Minorities in individual states must never again be given the character of internationally recognized political and legal units with the possibility of again becoming sources of disturbance. On the other hand, it is necessary to facilitate emigration from one state to another so that if national minorities do not want to live in a foreign state they may gradually unite with their own people in neighboring states."⁵ Now, the whole history of the former Austro-Hungarian monarchy has amply demonstrated that individual human rights alone can not solve the nationality problem. What national minorities wish to achieve is not simply equality before the law, but a reasonable administra-

⁴ *Op. cit.*

⁵ *Op. cit.*

tive autonomy in their own territories and the free development of their own traditional cultural values. This was the main endeavor of all those who advocated federalism as a cure for the nationality sickness, and primarily that of the Austrian Socialist party, which put the idea of *National Cadasters* (free organizations of all the nationality groups) and sound local autonomy into the forefront of the reorganization of Austria. It can not be doubted that the dissolution of the Hapsburg monarchy was chiefly due to the lack of federalism. As all the new states will inevitably have national minorities—provided they are not evacuated by armed force or administrative pressure—they will necessarily face the same problems as did the old Dual Monarchy.

In an article on "Danubian Reconstruction," Archduke Otto of Hapsburg pays lip service to a vague idea of federalism when he writes: "Federalism is, without doubt, one of the materials which we shall need to use in our constructive work, but we must make clear from the outset that it will help to make a better order than that of 1919 only if there exists a strong central power which unites in its hand all decisions regarding foreign policy, defense, international trade, and currency."⁶ And though he cautiously admits that "this central power must not be an institution *opposed*⁷ to the various nationalities which form the federation," it is evident that the whole Hapsburg propaganda in this country and in Europe is based on the assumption that only the restoration of the Hapsburg dynasty, at least in the pre-eminently Catholic countries, can create a really stable political structure as a counterweight against the German Reich. However, this argument is specious. The whole history of federalism demonstrates that the necessity of a central power can be based only on the common will of the nationality groups and not on a dynastic power imposed upon them, especially on a dynastic power which was always allied with feudal, military, and bureaucratic particular interests against the free development of those nationali-

⁶ *Foreign Affairs*, January, 1942.

⁷ Italics mine.

ties. The underlying idea of the dualistic system was exactly this—a fact which was masterfully demonstrated by Joseph Redlich, the great historian of Austrian constitutionalism.

The supreme test of the efficiency of federalism, however, would be whether it could solve the central problem of the future postwar Europe, the problem of Germany. All pseudo-federal solutions have this in common: they are trying to build up a new balance-of-power system in which some combination of states could check a hostile Germany. There is a sound element in these plans. It can not be doubted that Germany must be disarmed, that the chief criminals who intentionally brought about the present catastrophe must be punished, and that the disarmed Germany must be rigorously watched. For all this an irresistible military force is needed, and this can be only the force of the allied victorious democracies, beside which no other armed power or combination of powers should be tolerated on the European continent. Of course, an agreement between Russia and the democracies is a prerequisite of this or any other plan of international reconstruction.

But such a system of an overwhelming military control is not enough. It may last five years, ten years, a generation; but it will surely not lead to a final peace if the system of compulsion can not be transformed into a system of co-operation.

All endeavors to dismember Germany, to humiliate her, to curtail her economic resources, or to put her at the mercy of a permanent military coalition are shortsighted and futile. No plan for stabilization can be workable which discounts the fact of Germany's overwhelming economic, technological, and cultural influence in central Europe. Already at a time when the slogan "Germany has no place in the sun" was coined, her hegemonic role was clearly established. "Germany," wrote Professor J. M. Keynes in his prophetic book, "was the best customer of Russia, Norway, Holland, Belgium, Switzerland, Italy, and Austria-Hungary; she was the second best customer of Great Britain, Sweden, Denmark; and the third best customer of France. She

was the largest source of supply to Russia, Norway, Sweden, Denmark, Holland, Switzerland, Italy, Austria-Hungary, Rumania, and Bulgaria; and the second largest source of supply to Great Britain, Belgium, and France."⁸ Without any military action, and in spite of the unfortunate international policy of Germany, her economic and cultural penetration was rapidly growing in the territory of central and eastern Europe at that time. This supremacy of Germany was also clearly demonstrated by the events of World War I. It can not be doubted that Germany would have won the war without the wholesale intervention of the United States. To believe that such a power can be excluded from or minimized in the future Europe is utterly naive or preposterous.

Therefore, the main task of future statesmanship will be to appease Germany in a real sense. This means a kind of organization and co-operation which will give to Germany every possibility of economic and cultural progress, of peaceful expansion both in Europe and in the world. It means in the second place the de-Prussianization of Germany. It is utterly unrealistic to believe that the Prussian spirit of conquest and domination was exclusively or primarily the result of the injustices of the peace treaty or the lack of *lebensraum*. It meant far more than this; it meant a special type of moral and spiritual synthesis which has developed on Prussian soil in the last two or three hundred years. The causes of this synthesis were complex, but once in formation it acted as an independent and dominating historical force. There can not be imagined a more powerful antidote against this spirit than that new economic and moral constellation which would follow democratic federation in Europe, if it be honest and sincere.

The same system of federalism should be extended to Germany, at the beginning, within her own frontiers. In no country of the world has federalism had such deep roots as in Germany. The very conception of the Holy Roman Empire of the German nation was an important beginning in this direction. Later, how-

⁸ *The Economic Consequences of the Peace* (New York, 1920), 17.

ever, the conquering military spirit of Prussia falsified the whole system. As Constantin Frantz, the greatest German advocate of federalism and a strong antagonist of Bismarck, put it: "... out of the barracks of Berlin originated the New Reich. Instead of constituting the last bulwark of the European peace, it has become the foundation stone of the European war system. . . . The tyrannical maxim *oderint dum metuant* could one day give rise to a great coalition against the New Reich—it could never acquire one single true friend. . . ."⁹ The prophecy of the scholar came into full realization during the first and second world wars. The spirit of Prussian militarism gave a sham federal structure to the Reich. Without a genuine liberal and democratic spirit it became a political instrument in the hands of the ruling Prussian aristocracy.

The chief task, therefore, both for the German people and for Europe is a double one: first, the leading role of the Prussian upper class must be uprooted by the dismemberment of the East Prussian estates and their colonization by the German peasantry; second, the German federal structure must be remolded into a true federal structure by separating old Prussia from those territories which originally did not belong to her, but were annexed by military and diplomatic pressure. In the thought of certain Germans themselves, a new federated state could be created by the separation of the Rhineland from Prussia. Such a Rhineland state could be composed of certain provinces which in their structure and mentality never were really pure Prussian. For instance, Nassau, the Grand Duchy of Hesse, the Palatinate, the Grand Duchy of Baden, and Wurtemberg could form the strongest German state both economically and culturally. If this state were given an adequate representation in the German federation, any recurrence of the old Prussian spirit could be prevented. Such a new federal structure, eliminating the artificial political supremacy of Prussia, would give a real boom to those mighty spiritual

⁹ Quoted by F W Foerster in *Europa und die Deutsche Frage* (Luzern, 1937), 55-56

and moral energies of the German people which were hindered and handicapped by the Prussian spirit. (Of course, federalism is not a panacea for all evils. Every careful observer will recognize the appalling task which the future Germany will face in remolding her educational system and creating a western democratic ideology. Nevertheless it remains true that without a new federal structure as advocated here, the work can not even be begun).

This transformation would be made even deeper and more rapid by a guarantee given by the democratic union to Germany that she will be immediately accepted in the new world order as an equal partner as soon as the new Germany has given clear and substantial evidence of being solidly established. From this point of view, the so-called Austrian problem would also find its natural solution. The Hapsburgist-Papal plan to compel the separation of Austria from Germany would be a criminal mistake. Under our hypothesis of reconstruction, Austria, after a short inner political reconstruction, should choose freely whether she would prefer to enter into a German or a Danubian federation inside the general federal structure established by the victorious democracies.

There still remains, in the view of some, the menace of a factor which, if not rightly treated, can plunge Europe again into chaos. This is the enigma of Russia. There is, according to this view, a strong possibility, if the events of the war further accentuate Russian victory, that Russia may emerge from this war the strongest military power of Europe. It is true that the whole interior political, moral, and economic structure of Russia is, for the time being, such as to preclude its entrance into the framework of that democratic federal union which is envisaged in this chapter. Is there not a further great task for statesmen in diminishing and, if possible, eliminating the historic tension between the Soviet republics and the rest of Europe? Russia has even now, at least nominally, a federal structure, and the ultimate value of a federation opposed to a unitary state based on force is sincerely

recognized by the Soviets, though not always put into practice. Manifestly, the cultural and moral forces for a true federalism are still in their infancy in Russia. Under these circumstances, the danger of increasing tension between the democracies and the Soviets could easily grow. This tension could be alleviated only by a policy which, economically and morally, would bring the two systems nearer to each other.

There is another side of the question, which can be understood only in relation to four fundamental factors in recent Russian politics: first, the national, or Stalinist, victory over the international, or Trotskyist, wing of the Communist party, relative to the true scope of the party's activities; second, the consistent support of the Soviet government, both in and outside the League, for the principles of collective security, a support which was more consistent than that accorded by the great democracies of the West; third, the recent announcement of Joseph Stalin of the abandonment of the traditional communist policy of fostering revolution in capitalist countries and later the dissolution of the Comintern, and fourth, the abandonment of the "godless" policy and the reconstruction of the Russian Orthodox Church. For these four factors appear happily to presage the possibility of Russian collaboration in postwar federation.

Whatever the validity of these points of view, it remains that the real danger zone lies in the territory between Germany and Russia. Its antiquated agricultural structure can not remain. The present feudal economic and political atmosphere would make southeastern Europe prone to accept the leadership of the Soviets against their age-old oppressors. Both eastern and western Poland, Rumania, Hungary, and Bulgaria could easily fall into the orbit of the Soviets. A victorious and powerful Russia could, without any aggressive war or grabbing of territories, swallow those lands by the accomplished practices of internal revolution. In doing this, the Soviet policy would be to a certain extent justified, because, if the old feudal militaristic spirit continues in southeastern Europe, it would always explode into an aggressive

policy against Russia. The collapse of the Stalin-Hitler Pact is good evidence of this fact.

On the other hand, an economically reconstructed and politically federated southeastern Europe under the protection of the democracies would create a new situation. For the new peasantry, marching towards cultural and economic emancipation, the Soviets would cease to exercise a revolutionary influence. Nobody is prouder of his rights and human dignity than the independent peasant helped by his state and his co-operative organizations. At the same time this new peasant world would look with understanding and sympathy towards the Soviet experiment in its cultural and economic efforts to raise the standard of the laboring people. Furthermore, the Soviet states, having no fear of an aggression of European feudalists and militarists, could devote a greater part of its energy to interior reforms. A growing prosperity and a continuous heightening of the cultural level would inevitably induce democratic reforms into the still autocratic structure of Russia. This would mean a continuous lessening of tension between the democratic and the Soviet federations. Russia would assume more and more elements of a democratic federal structure at a time when the traditional historical forces of oppression and domination in Europe would be eliminated. Consequently, the principles of free and spontaneous federalism would find new and more ambitious tasks in Europe and elsewhere.

The Revolt of the Subjugated Peoples Against Hitler

TO KNOW and understand the history of Europe during the last twenty years requires more than the study of official documents and treaties, newspapers and radio scripts. None of these documents will explain completely why it was only on September 2, 1939, after eighteen years of political and military aggression against democracy, organized labor, social progress, world trade, international co-operation, freedom of worship, political and racial equality, that Hitler found himself at war with the western democracies. Nor will they explain why Mussolini was left free to establish on the European continent a fascist regime opposed to the very foundations of democratic civilization and to prepare his military machine until his German masters considered the moment ripe to have him deliver the stab in the back to France and the other democracies.

It will be necessary to penetrate into the secret archives of big industrial concerns, military schools, reactionary political parties, and pro-fascist groups which were working under inconspicuous but very patriotic names in order to understand how the interests of national defense and security were neglected in favor of pro-fascist sympathies.

The greatest achievements of the German propaganda machine took place before the war started. In many years of patient effort Hitler's Germany had built inside the European democracies a powerful system of espionage, a kind of espionage which never existed before in history. It was made of men who in most

cases were not paid by the enemy, men who would have even considered it a dishonor to work for the Germans, but who hated democratic institutions more than they hated Germany. They were lured into organizations which had as their apparent purpose only the destruction of the democratic regime. Of course this destruction could be accomplished only by co-operation with fascist elements of other countries, particularly of Germany and Italy. From there it was only a step to the policy of active pro-fascism and only two steps to direct treason.

On the other hand, in order to understand the motives of the struggle and the aspirations of the subjugated countries, it will be equally necessary to rely very little on government documents and newspapers. Both reflect only to a very small extent the real aspirations of the people. There was a kind of *conspiration du silence* in opposition to the great popular wave in favor of democracy. It will, therefore, be necessary to look into the archives of trade unions, co-operatives, farmer groups, and democratic parties in order to find the real face of Europe.

The fact is that while the guns were still firing at the end of 1918, a political battle of great magnitude started all over Europe and particularly in Germany. The Emperor, while his armies were crumbling and while the home front was breaking down, received proposal after proposal from certain army leaders and particularly from General von Bock not to abdicate, but to establish a terroristic regime in Germany. He would lose, they told him, the war against the Allies, but he might win the war against the German people. For a short time there was terrible hesitation at his headquarters. Finally the cowardice of the Kaiser was decisive. He was afraid, and preferred the safety and comfort of the exile in Holland to the risk of losing the civil war and his life. But his advisers were not entirely wrong in their suggestions. They understood that the victorious Allies wanted only a military victory and that the political and economic regime of Germany not only had nothing to fear from them, but in the case of danger of social revolution, could obtain their help.

For long years after, the German reactionary forces based their whole political strategy on this belief. Here began the historic mistake of the Allies. They were thinking about military measures, payments of the war debts, fixing of the historic responsibilities for having started the war, but they were not thinking of destroying the political and economic machinery which had been basically responsible for the war and for the building up of the German military spirit. None of the participants in the peace conference, even the most hostile to Germany, would have diverted one minute of their time to such a basic thing as the establishment of real democracy inside the defeated countries. In drawing the new map of Europe, they tried to take into consideration problems of boundaries and nationalities, but they never thought of the democratic structure of the old or the new countries. Chauvinism and violent nationalism were many times stronger at the conference than the democratic ideals for which the war supposedly and allegedly was fought. The Conference of Versailles was based on the same principles and the same methods as the Congress of Vienna, held more than a hundred years before in 1815. The nineteenth century, the industrial revolution, and the deep changes which the world had undergone were not taken into account. Of course there was one new grandiose idea in Paris which didn't exist in Vienna, the idea of the League of Nations. This was, in the minds of most of the participants, a slight concession to the dangerous, war-weary public opinion and to a few "naive" men like Wilson, Bourgeois, Lord Cecil, and others.

When the conference started, the road toward a new humanity was open. The most reactionary regimes in Europe were utterly defeated, Wilson's fourteen points were the credo of the common man in Europe, the system of military alliances had proven itself definitely inadequate for the preservation of peace, and one of the great laws of our century was discovered—the law of collective security. This idea, if applied in its broadest sense, is much more than a military motive. It is a principle of inter-

national solidarity in every field in order to guarantee and defend the common security against whatever aggression may threaten any member of the community of nations. The peoples of Europe were tired of war. In almost all the European countries there were signs of fatigue, and nobody knows what would have happened if the war had lasted longer. It is very characteristic that, when the peace was finally signed, the people felt somehow that it wasn't a real peace. Large sections of popular opinion were alarmed about the dangers of militaristic nationalism.

As early as April, 1922, the International Federation of Trade Unions held a congress in Rome which devoted an important part of its meetings to the discussion of precisely these dangers. The congress adopted a resolution which contained this characteristic passage: "[The congress] declares that the fight against militarism and war, and for world peace based upon the fraternization of the peoples, is one of the principal tasks of the Trade Union movement." And further: "... the Congress declares that it is above all the duty of the International Trade Union movement to combat all forms of political and economic nationalism."¹

The representatives of the European workers' organizations saw the dangers of the nationalist wave which was encouraged by governments, and they understood that it would lead inevitably to a new world war. The trade union movement was strongly determined to use every means in its power against the increasingly nationalistic tendencies, and the Rome congress unanimously decided to "prevent the actual outbreak of such wars by proclaiming and carrying out a general international strike."²

At the end of the same year, from December 10 to 15, an international peace congress met at The Hague, under the auspices of the International Federation of Trade Unions. Present at this congress were delegates not only of the different labor movements, but also of the International Co-operative Alliance, peace

¹ The International Trade Union Congress, *The International Trade Union Movement, Supplement X* (Amsterdam, The International Trade Union Congress, 1923), 107.

² *Ibid*

societies, League of Nations associations, women's societies, and others. The chairman of the congress estimated that at least four million people were represented, and it is interesting to note that the Soviet Russian trade unions were also represented. Their delegates included Karl Radek and Lozowsky, the latter at present Deputy Commissar of Foreign Affairs. Among the many extremely interesting resolutions adopted by that congress was one on education which very rightly asked for an educational system which could "eliminate everything which might tend to arouse or cultivate militaristic nationalism." Many suggestions for revision of the teaching of history were made and the congress decided that "there should be an end to glorification of conquests and conquerors."³ The congress was particularly anxious to have the League of Nations modified in order to make it an instrument capable of promoting international co-operation and of preventing war.

The essential characteristic of the following years is that internal and international policy became extremely interrelated. In almost every country the democratic and socially progressive forces were in favor of the League and of collective security, while reactionary and pro-fascist forces were bitterly opposed to any system of international organization. This is true of fascist Italy, also, contrary to the general belief that Mussolini became opposed to the League only at the time of his aggression against Ethiopia. The fact is that fascist Italy was too weak to adopt openly a hostile attitude; therefore, she waited until the opportune moment would come. Until 1931, the significance of this struggle was not apparent to most observers. Europe was at peace, the technical services of the League accomplished some remarkable achievements, and the brilliant and frequent meetings in Geneva gave the illusion that the international machinery was running smoothly.

But when Japan first attacked China in Manchuria, the

³ International Peace Congress, *International Federation of Trade Unions* (Amsterdam, The International Federation of Trade Unions, 1922), 205.

people of Europe woke up and realized suddenly the gravity of the situation. Sympathy for the victim was expressed in hundreds of meetings in which the governments were urged to act immediately against the Japanese. But the governments replied that this aggression did not endanger the security and the independence of the European countries. By their attitude and their foreign policy they began destroying the ideas of collective security which had penetrated the hearts of the people very deeply. When Mussolini was finally ready to start his aggressive policy, even though the victim was an almost unknown country, the popular anxiety became greater and greater. In France a wave of hatred against Laval started at that time because of his maneuvers to save the fascist aggressor. But again the governments refused to take measures, and again they weakened not only the system of collective security but also the will to resist on the part of the peoples of Europe.

The discrepancy between the realities of power politics and the officially expressed foreign policies of the different governments became more acute every day. In principle all the European countries (apart from the fascist regimes) were bound to an international policy based on the principles of the Covenant of the League of Nations. In fact, there were four different conceptions of international policy:

(1) The balance of power conception, followed especially by Great Britain.

(2) A policy of military alliances, followed particularly by France.

(3) An international policy without dogmatic principles (an opportunistic policy), followed particularly by Turkey, Rumania, Hungary, Poland, Yugoslavia, and others.

(4) The policy of neutrality, of which the Scandinavian countries and later the members of the Oslo group were the characteristic representatives. In reality all these international policies were made out of confusion and half-measures, incapable of stopping the rising fascist wave. Since its entry into the League

of Nations, Soviet Russia was almost the only country advocating a policy of collective security.

The real crisis of European democracy started with the Spanish Civil War, because that war combined both elements which were feared so much, namely, aggression and the spread of fascism. The Franco rebellion was the first forcible attempt to overthrow a constitutional democracy. The attitude of the two fascist powers, Germany and Italy, toward this attempt was perfectly logical and consistent with their system. They immediately supported the Franco rebellion with all the means in their power. The attitude of the democracies was quite illogical and opposed to their most vital interests, permitting not only the overthrow of a constitutional regime, but also the intervention of the fascist powers. The weakness of the democracies toward the Spanish war gave the green light to all the fascist forces in Europe. Why should the French Fascists stop trying to take over power when they saw that in Spain no effective measures were being taken to prevent such action? This was the signal for fascist forces in Poland, Rumania, Yugoslavia, and other countries to reverse not only the internal policies of their countries, but also their foreign policies. The Spanish affair definitely encouraged the anti-democratic and pro-German elements in Italy to go ahead, and it contributed greatly toward the final breakdown of the anti-fascist forces in Germany itself.

It is true that French and English public opinion was divided on the Spanish affair, but it is less true that the divided parts were equally strong. The truth is that the overwhelming majority of the people of both countries were in favor of republican Spain.

All over Europe there were immense popular movements in favor of the Loyalists. The labor forces were without exception behind the republican government. The people's front demonstrations in France, which sometimes gathered together one million men and women, were entirely pro-republican. No meeting organized in favor of Franco ever collected more than twenty-five thousand people, but of course the dominant newspapers

and publications and the radio were in favor of non-intervention, or outright in favor of Franco. It is this crisis and this attitude of the French government that undermined, step by step, the resistance of European countries.

The final blow to the whole conception of international law came with the Munich agreement and the betrayal of Czechoslovakia. From that moment on, the governments of the dominant democracies in Europe were isolated from their peoples. No appeal to sacrifice or to national defense had really a very deep meaning for the people. The agreement was accepted, of course, because everyone understood that it couldn't be otherwise. But there was none of the wholehearted, enthusiastic support which previous governmental policies had enjoyed. It was a necessary evil, but it was no longer the march on the glorious road to freedom. When the war broke out, the people of Europe were practically passive to the dangers of fascism. In almost all countries, to write or to speak against the crimes of Hitlerism had been forbidden.

Up to the outbreak of the war the rule not to attack the heads of foreign governments was applied almost everywhere. This, because the governments believed that they could avoid war with Hitler and that measures of appeasement and the suppression of anti-fascist propaganda would avoid the war. But despite these policies, when the war came, the whole accumulated hatred against fascism and German imperialism broke out with unimagined violence. There was on all faces a grim determination to put an end once and forever to German conquest and to Hitlerism.

This was the great moment for the democracies to wage an offensive war and to take the ideological offensive against everything that was fascist. But here again the governments failed. While they were at war with Hitler, they were not at war with Mussolini; they were even appeasing him. Nine long months passed without any initiative whatsoever on the part of the democracies. And when finally the Hitler machine, later combined

with the Mussolini machine, went into high gear, the defenses broke down as if they were made of paper. The general staffs and the leading economic groups, infested by the virus of fascism, had not the capacity nor the imagination to create the unprecedented wave of enthusiasm which was necessary in order to stop the powerful military mechanism of the Axis. And the European democracies succumbed after a few days in some instances, a few weeks in others. Like hyenas on the battlefields, the Fascists were waiting for that moment. They came out of the holes where they had been hiding in fear of wartime legislation. They came out from their false patriotic newspapers and magazines into the open with their fascist conceptions. In the course of a single night in June, 1940, Germany ceased to be the enemy, and only the democracies were the enemies.

Immediately after the downfall of France, for a few months a terrible wave of resignation and despair came over the people of Europe. Everything they believed in was broken down. England also seemed to be lost, and there was no hope of resurrection.

But there is an unsuspected vitality in the people. This period of despair did not last long. The realities of the Hitler regime, the abject behavior of the puppet authorities, the splendid resistance of England and later of Soviet Russia have encouraged a movement of resistance which today is of an unprecedented magnitude. The daily hardships of the fascist regime have convinced the people that there is no reconciliation possible with a system which destroys national independence and individual freedom and which subjugates everything to the interests of the ruling class or the master race.

Slowly but with determination the force of resistance was organized over almost all of Europe. The resistance of the underground movement was not an act from above. The breakdown of governmental and political machinery came so quickly that there was no time to prepare anything. Furthermore, nobody believed that the whole of Europe could be brought under Hitler's control, and the governments would probably have con-

sidered the preparation of an underground movement a subversive act. Therefore, the forces of resistance had to start from scratch. From the beginning the resistance came from the workers' groups. These groups had strongly entrenched traditions of international solidarity and anti-fascist hatred.

While the majority of the nationally known labor leaders were killed, arrested, or closely watched, very rapidly new leaders appeared to fill the gaps. The leaders of local and smaller unions and co-operatives were in relative security, and they had the time to prepare a real net of underground organizations and also replacements in case of arrests.

The workers of Europe are used to fighting not only for their professional interests, but also for the maintenance or re-establishment of the democratic system. Resistance against fascism is to them a natural thing. The refusal to participate in such a movement, the refusal to make financial contributions towards it, a reluctance to hide endangered men with arms, or to print material is almost equal to dishonor. That is why the workers were capable of creating not only local centers of resistance, but also the first regional and national underground organizations. Simultaneously other underground movements sprang up. They were more spontaneous and of a local character and, in many cases, until lately they were without liaison with the others. They were patriotic groups composed of elements who realized that their countries would be definitely lost if Hitler won and who took up the call to arms and joined the fight.

A remarkable thing was the participation of the European farmers' movements in the resistance. The European farmer in general was disinterested in politics, and he was, furthermore, a pacifist. Briand's popularity was so great precisely because he had the support of the farmers' movement of Europe, which saw in him the apostle of peace. But the farmer has, at the same time, a strong feeling of independence. He hates daily or hourly interventions in his doings and personal life, and as fascism started transforming every village and every farm into an industrial unit

which had to furnish so much of its products to the state, the farmer revolted. He revolted not only against the invader; he revolted against the whole system which the invader brought with him. He revolted against fascism.

Another element of resistance comes from the intellectual groups. It is interesting to note that scientists and teachers are among the best elements of the European underground movement. On the contrary, artists and writers prove relatively weaker than would have been expected from their previous books or artistic productions. The purely literary writers were among the first elements to resume their activities with the approval of the nazi occupation authorities. There is also in some European countries a remarkable resistance of religious groups, particularly Protestant and Jewish and some Catholic groups.

Despite unprecedented terror, the forces of resistance are becoming better organized every day, and they have established some co-ordination with the anti-Axis countries. The forms of resistance change from passive resistance to active military and economic sabotage, intelligence work for the United Nations, and, ultimately, physical destruction of the enemy.

Naturally these underground forces of today, after a United Nations' victory, will be the decisive political forces on the European continent. What are their aspirations, and what attitude will they have towards schemes of international organization?

Of course it is impossible to foresee their future attitude, but in studying the many factors described previously, we can at least arrive at some conclusions. The author participated until the middle of December, 1940, in France in many of the activities and discussions of various groups of resistance and could observe even then a characteristic evolution. In the struggle of the peoples of Europe, discussion about the future plays a very important part. Superficial observers believe that nationalism is growing steadily in Europe. They confuse the generalized expression, "Oh, let's first get rid of the Germans," with a nationalistic tendency. Of course people want the Germans out, for they are suffering ter-

ribly every day because of them and also they know that no re-establishment of democracy is possible without the defeat of Hitler Germany.

But nationalism in its extremist aspects, exaggeration of national pride, army, and fighting capacity, and a superiority complex in general, is bankrupt. The most prominent nationalistic and militaristic leaders of the occupied countries are in the front ranks of the German puppets. Pétain in France, Franco in Spain, Quisling in Norway, Degrelle in Belgium, Mannerheim in Finland, and Horthy in Hungary are outspoken supporters of the Axis—a fact which has contributed considerably to the discredit of chauvinism.

The disrepute of nationalistic ideas and the fact that the labor movement is the backbone of resistance have influenced greatly the discussions about the future which are going on in underground Europe. These discussions are taking place under the most tragic circumstances. Hunted not only by the Gestapo but also by the puppet police of their own countries, the forces of resistance in Europe are compelled to divide their time between concrete activities against the enemy and plans about the future. Practical experience has taught the European popular movements that before convincing new elements to join the battle, they have to explain to them and even prove to them that after this war there will be a really better international order. Without books, without information from abroad, through sporadic and clandestine radio broadcasts, through reading between the lines of the fascist-controlled newspapers and through occasional bits of information secured in other ways, these movements have nevertheless succeeded in acquiring a relatively clear picture of the United Nations' ideology. They constantly stress the fact that the most powerful anti-Axis forces in this war are the United States under the leadership of a man and a government known to be devoted to the ideals of world democracy, England under the leadership of Winston Churchill and Sir

Soviet Russia with its new social experiments. They explain constantly that this bloc of powers will never go back to the prewar situation and that at least a world police, and a world league will emerge from the war. Europe is unable to work on concrete blueprints for the future, but the people are immensely interested in every plan worked out abroad. This is contrary to the general belief that the fighting Europeans refuse to accept advice from outside. They are, on the contrary, very grateful for every constructive plan which is offered.

The essential principles of international organization which seem to be accepted by the most important groups of resistance are the following: (1) absolute equality of members in whatever international organization will be created; (2) limitation of national sovereignty in the interest of common security; (3) distribution of raw materials not in the interests of one group of countries, but in the interests of all countries; (4) reduction of armaments and measures against militarism after the necessary precautions against the aggressor nations will have been taken; (5) destruction of the fascist leadership in the different countries, particularly in Germany and Italy, and also concrete measures against them in other countries; (6) freedom of travel and communication and an international guarantee of individual human rights; (7) nationalization of the most important of the vital industries, banks, and insurance companies of Europe, particularly those which have co-operated directly or indirectly with the Germans; (8) increase of the authority of local government, particularly of communal government; (9) purging of all political parties and governmental machinery of elements which profited from their position, and scrutiny of the sources of income of each man in public life; (10) creation of an international structure much more effective than the League of Nations; and (11) popular representation in such an international organization on the basis of absolute racial equality.

One can note that many important problems are still un-

in which these discussions are taking place is interesting. The spirit is absolutely universal and opposed to a military or an economic leadership of one group of nations. The immense confidence enjoyed by the United States throughout conquered Europe will undoubtedly result in a preference for American plans and suggestions in international affairs. One distinction between the United States and Europe, however, must never be overlooked: The problem of democracy which the United States has already solved in its political aspects is still in the forefront of European consciousness. That problem is created by the existence of two great tendencies in European history—one a democratic and the other a tyrannical anti-democratic, monarchic conception. There was and there is even today a continuing fight between these two conceptions.

Whenever Europeans have been able to demonstrate their will in free elections, they have always given a great majority to democracy, particularly in France, where these two tendencies have existed in every period of history. The ruling minority helped and supported fascist tendencies precisely because this minority hoped that through a victory or a strengthening of Hitler Germany the democratic tendencies in other countries would be destroyed and their own political position would become stronger. If tomorrow Europe were freed from the German yoke while in some central European countries or in any other part of Europe aggressive dictator regimes were re-established, it is quite evident that the peace of Europe would not last. This is the reason that the peoples of Europe are so anxious for international guarantees against aggression.

These guarantees should not take the form of underwriting this or that particular form of government, e.g., democracy. Each people should be free to evolve its own indigenous form of government, the form best suited to its people and their cultural traditions and economic situation. The important thing is that each

forth be deprived of any power to jeopardize the peace and prosperity of the world by aggression.

The European continent, once freed from nazi domination, will become a great constructive factor in international relations, if those relations are directed toward real world co-operation and against the return of the menace of war, misery, and dictatorship. Europe this time (and this is the great difference between the present and the last war) has learned two things: (1) that the destruction of democracy in any part of the world endangers freedom everywhere; and (2) that no country can resist aggression by itself. The realization of the nature of national and international society and the knowledge of its processes have been deepened and intensified. Living under terrible circumstances, the peoples of Europe realize through their own tragic history the necessity for better support of those ideals which in the recent past interested only limited groups. Immense progress in the education of the great masses of the people has been made not through books but through painful facts. The ultimate triumph of these progressive tendencies in Europe will not come automatically. Much, if not all, will depend on the attitude and the sincerity of the countries which have been spared *this time* from fascist occupation.

XV

Economic Freedom for the World¹

THE IMPORTANCE of the military in today's struggle is clear to us all. My concern tonight is with an even more powerful weapon than the gun, and that is, the Idea. For, however important the role of bayonets and guns may have been in the development of mankind, the role of ideas has been vastly more important—and, in the long run, more conclusive. In historical times, at any rate, men have not often fought merely for the joy of killing each other. They have fought for a purpose. Sometimes that purpose has not been very inspiring. Sometimes it has been quite selfish. But a war won without a purpose is a war won without victory.

A most outstanding example of a war fought with a purpose was our own American Revolution. We did not fight the Revolution because we hated Englishmen and wanted to kill them, but because we loved freedom and wanted to establish it. I think it is fair to say, in the light of what that freedom has meant to the world, that the victory won at Yorktown was the greatest victory ever won by force of arms. But this was not because our army was large and formidable. It was because our purpose was so clear, so lofty, and so well defined.

Unhappily this cannot be said of World War I. It has become almost a historical truism that that was a war without victory. Of course, it is true that, while we were engaged in it, we thought, or said, that we were fighting for a high purpose. Woodrow Wilson, our commander-in-chief, stated our purpose in eloquent terms. We were fighting to make the world safe for democracy

—to make it safe, not just with a slogan, but by accepting a set of principles known as the Fourteen Points, and by setting up a full-fledged international structure to be known as the League of Nations. That was a high purpose, surely. But when the time came to execute it in a peace treaty, a fatal flaw was discovered. We found that we and our allies were not really agreed upon that purpose. On the one hand, some of our allies had entangled themselves in secret treaties; and they were more intent upon carrying out those treaties, and upon pursuing traditional power diplomacy, than upon opening up the new vista that Mr. Wilson had sought to define. And on the other hand, we ourselves were not as deeply dedicated to our declared purposes as we had led the world to believe. The net result was the abandonment of most of the purposes for which the war had supposedly been fought. Because those purposes were abandoned, that war was denounced by our generation as an enormous and futile slaughter. Millions had lost their lives; but no new idea, no new goal, rose from the ashes of their sacrifice.

Now I think that these considerations lead us inescapably to one conclusion. I think we must conclude that, generally speaking, nothing of importance can be won in peace which has not already been won in the war itself. I say nothing of importance. It is quite true, of course, that many details must be worked out at the peace table and at conferences succeeding the peace table—details which can not be judiciously worked out under the presence of war. We—we and our allies, of course—can not, for instance, stop fighting the Japs to make a detailed plan of what we intend to do about Burma when victory is won; nor can we relent in our pressure against Hitler to decide the detailed future of Poland.

What we must win now, during the war, are the principles. We must know what our line of solution will be. Again, let me use the American Revolution as an example. When we fought that war, we had no inkling of the actual structure of the United

The federal system, the three branches of government, the brilliant bicameral compromise by which the small states were induced to come into the union—all these innovations lay as yet in the future, nourished only by the brains of a few great political thinkers—who, themselves, were not entirely clear. And yet the basic principles of that great political structure that was to become the United States of America were, surely, contained in the Declaration of Independence, in the songs and speeches of that day, in after-dinner discussions and private arguments around soldiers' campfires and everywhere along the Atlantic coast. Even though the great states of Massachusetts and Virginia were held together by the vaguest pronouncements and the flimsiest of political contraptions (the Continental Congress), their citizens were in substantial agreement as to the cause they were fighting for and the goal they wished to achieve.

Had they not agreed during the war, Massachusetts and Virginia, surely, would have failed to agree concerning the principles of the peace. They won in the peace exactly what they won in the war—no more and no less. This truth, if it were not self-evident, could be proved by citing one calamity. The people of those states did fail to agree concerning the freedom or slavery of the Negro. The result was that there grew up around the enslaved Negro in the South an entirely different economy from that which grew up in the North. And this resulted in another, and far bloodier, war.

Can we not learn from this simple lesson, and from similar lessons of history, what our task is today? I say to you, we must learn. We must know that we shall win in the future peace only what we are now winning in the war—no more and no less.

That being profoundly true, we are faced today with two problems: How shall we determine what we want to win in the next peace? And how shall we prepare ourselves to win it during the war?

First, to determine our aims, it is clearly necessary to reach substantial agreement with our allies. Here, as in our Revolution,

agreement in detail is not necessary, or even desirable. But unless we are to repeat the unhappy history of World War I, agreement in principle must be won. Moreover, it must exist not just among the leaders of the Allies. The basic agreement I am thinking of must be established among the allied peoples themselves. We must make sure that these peoples are fighting for essentially the same thing.

Now what does this mean? It means that every one of us has the obligation to speak out, to exchange ideas, freely and frankly, across the Pacific, across the Atlantic, and here at home. Unless the British people know the way we are thinking in America and take it to heart, and unless we have a similar idea of what they are thinking in England and in the commonwealths, there can be no hope of agreement. We must know what the people of Russia and China aim for and we must let them know our aims.

It is the utmost folly—it is just short of suicide—to take the position that citizens of any country should hold their tongues for fear of causing distress to the immediate and sometimes tortuous policies of their leaders.

Shall we in America be quiet, for instance, when our leaders after promising freedom to the French people, put into control over them the very man who has helped to enslave them? Shall we be quiet when we see our government's long appeasement of Vichy find its logical conclusion in our collaboration with Darlan, Hitler's tool? Such collaboration outrages the spirit of free peoples everywhere, whatever expediency dictated it. I tell you we can not fight this war in silence, whatever our experts say. Because if we fight in silence those same experts will, in the end, even winning the war, win nothing but blood and ashes.

Thus, in order that we may win a real victory, we must encourage the utmost amount of discussion among ourselves and with our allies. Moreover, we must be very clear about what this word "allies" means. We have many allies—roughly, I should estimate them at a billion people Britain and the United States

are great powers, but they are not the only powers involved in this struggle, nor even necessarily the greatest powers. Russia and China have each already suffered greater losses in this war than all the rest of us put together. Those two enormous nations are also our allies, and consequently, when we talk about reaching agreement among allied peoples, we must mean the Russian people and the Chinese people as well as the British people and the American people.

Indeed, we must go further. We must try to find out, and openly to express the desires and hopes of hundreds of millions of other peoples—in the torn heart of Europe, in India, on the embattled shores of the Mediterranean, in Africa, on the eastern shores of Asia, and in our own hemisphere. For, if some of these people are not now our allies, they are potential allies, and they are necessary participants in the world that is to follow this war. We must win substantial agreement with them also. If we do not, we can not win substantial peace.

That then is our first problem—to discuss, and to discuss openly and frankly, the desires and needs of the allied peoples, so that we may all come into substantial agreement concerning what we are fighting for.

Just as you have listened this evening to representatives of governments, of industry, of labor, to aviators of peace and of war, to producers and scientists, so men and women all over the world must discuss and learn and exchange ideas and purposes with which to direct the future.

But discussion alone is not enough. Having discussed what we want to win in the peace, having set our goals, our second problem faces us: How, during the war, shall we prepare ourselves to attain those goals in the peace? The answer to that is plain: We must learn to work together; we must learn to work with all our allies that we may win both the war and the peace. We must work together today; tomorrow will be too late. Our most immediate common need is, of course, a united military plan arrived at by a board of strategy representative not alone of

the United States and Great Britain but likewise of our other allies. Even such obviously essential co-operation has not yet been brought about. It is true that we are beginning to work with the British. That is comparatively easy, for we are possessed of the same linguistic and cultural heritage. But we must learn equally well to work with Russians and Chinese in the arduous task of today. And that task is not merely the task of military co-operation, however pressing that may be; it is also the task of working together now for a world at peace. For, as I have already said, military victory is fruitless unless on the anvil of war we hammer out joint and honorable purposes.

And now about the goals for which we work. Here again perhaps we may learn from past failures.

After the last war the peace failed because no joint objectives upon which it could be based had been arrived at in the minds of the people. The League of Nations was created full-blown; and men and women, have developed no joint purpose, except to defeat a common enemy, fell into capricious and irrelevant arguments about its structural form. Likewise, it failed because it was primarily an Anglo-French-American solution, retaining the old colonial imperialisms under new and fancy terms. It took inadequate account of the pressing needs of the Far East, nor did it sufficiently seek solution of the economic problems of the world. Its attempts to solve the world's problems were primarily political. But political internationalism without economic internationalism is a house built upon sand. For no nation can reach its fullest development alone.

There were those among us prior to this war who entertained the notion that America was an exception to this economic law, that America was economically self-sufficient. The war must surely have dissipated such ideas. We have seen our domestic economy and habits dislocated by a shortage of rubber. We have had cause to fear that even our war requirements could not be met. Sugar and coffee rationing have come. Our military and production experts fight frantically to find the methods of

allocating our inadequate supplies of copper and tin. Submarines have taught us hideously how dependent America is upon the rest of the world's products, just as the airplane has dramatically shown us how the problems of all men are close and interrelated. If, with our great resources, our boasted self-sufficiency disappears so quickly when the flow of goods from the outside world is reduced, it becomes doubly clear that less fortunate nations, in order to develop, must have access to basic raw materials.

Therefore, we should work today to make available presently to all the United Nations and, when the war is over, to all the world the materials indispensable to economic self-development. This can not be accomplished by mere declarations of our leaders, as in an Atlantic Charter, particularly when one of the two principals to that instrument has in the last few days seemingly defended the old imperialistic order and declared to a shocked world: "We mean to hold our own." Its accomplishment depends primarily upon acceptance by the peoples of the world. For if the failure to reach international understanding after the last war taught us anything it taught us this: Even if war leaders apparently agree upon principles, when they come to the peacetime, they make their own interpretations of their previous declarations. So unless today, while the war is being fought, the people of the United States and of Great Britain, of Russia and of China and of all the other United Nations fundamentally agree on their purposes, fine and idealistic expressions of hope such as those of the Atlantic Charter will live merely to mock us as have Mr. Wilson's "Fourteen Points." The four freedoms will not be accomplished by the declarations of those momentarily in power. They will become real only if the people of the world forge them into actuality. Political internationalism alone will not accomplish them. Real freedom must rest on economic internationalism.

Take a specific and difficult example of what lies before us if we are to give reality to those freedoms we have proclaimed. The Malayan Peninsula and the islands of the southwest Pacific are areas containing, among other things, the principle source of the

rubber supply of the world. They are inhabited in part, at least, by unlettered and, in some instances, perhaps savage people. Those who sneer when it is suggested that freedom and self-government can be brought to all men, feel that such areas must be ruled perpetually by some nation's colonial imperialism. Now assume that the allies reconquer those areas—shall we return them to their previous status, where their defense was courageous but inadequate and their peoples undeveloped under the governmental custody of some one nation? Or shall they be wards of the United Nations, their basic commodities made freely available to the world, their safety protected by an international police force, the full yield of their resources used for their own health, their own education and development, and for their training—no matter how long it may take—in the practices of self-government? The principles upon which we shall base the solution of such problems we must begin now to determine for ourselves.

There is another economic condition about which we must be thinking, for it is the most necessary of all goals to the accomplishment of real freedom. Not only must people have access to what other peoples produce but their own products must in turn reach men all over the world. There will be no peace, there will be no real development, there will be no economic stability unless we find the method by which the trade barriers hampering the flow of goods are removed. I know there are many men, particularly in America, where our standard of living exceeds the standard of living in the rest of the world, who shudder at such a prospect, who believe that any such process will only lessen our own standard of living. The reverse of this is true.

Many reasons can be assigned for the amazing economic development of the United States—the abundance of our resources, the freedom of our political institutions, the character of our population have all undoubtedly contributed—but in my judgment, the greatest factor has been that by the happenstance of good fortune, there was created here in America the largest area in the world in which there existed a free exchange of goods and ideas.

And I should like to point out to those who are fearful an inescapable fact. Today in a world reduced in size by industrial and transportation developments, even our present standard of living in America can not be maintained unless the exchange of goods flows more freely over the whole world. On the other hand, to raise the standard of living of any man anywhere in the world is to raise the standard of living by some slight degree of every man everywhere in the world.

You have heard tonight an account of the economic world of today and its possibilities for the future. Mr. Byrnes has expressed the hope that the regimented economy of wartime will expand freely when peace comes. Mr. Kaiser and Dr. Moore have told you there are no frontiers in the laboratory and the factory and the shipyard, that all we have heretofore known of potential productivity will seem slight compared with what can be produced tomorrow.

Mr. Johnston and Mrs. Hamilton and Mr. Watt have pointed out clearly how under modern industrial conditions, labor and management must find a road to economic stability in order to satisfy the aspirations and the needs of men.

Mr. Trippe and Major Seversky have pictured the amazing developments of aviation and its possibilities for war and for peace. They have shown you what became so clear to me on my recent trip around the world—that the peoples of the world are closer together geographically and physically than were the residents of the thirteen colonies at the time of the establishment of the United States.

These are all testaments to the fact that the vibrant forces of modern science and industry are but awaiting the chance to break forth into ever-widening streams of well-being for all mankind. The potential markets for the goods and ideas of the East in the western world are unlimited; and the demands of the East for the materials and the machinery and the skills of the West are beyond imagination.

But—let me impress it on you—the working of these forces

will come on only if the people of the world agree on the methods of their release. We can not wait until after the war when the already developing spirit of rampant nationalism may hold sway and expect then by some miracle to accomplish what history teaches us must be accomplished while we fight. We must not listen to those who say "Win the war now" and leave postwar solutions to our leaders and our experts.

We, the people, must begin to solve these problems today, not tomorrow. For we know that bayonets and guns are feeble compared with the power of ideas.

XVI

The Price of Free World Victory¹

WE, who in a formal or an informal way represent most of the free peoples of the world, are met here tonight in the interests of the millions in all the nations who have freedom in their souls. To my mind this meeting has just one purpose—to let those millions in other countries know that here in the United States are one hundred and thirty million men, women, and children who are in this war to the finish. Our American people are utterly resolved to go on until they can strike the relentless blows that will assure a complete victory, and with it win a new day for the lovers of freedom, everywhere on this earth.

This is a fight between a slave world and a free world. Just as the United States in 1862 could not remain half slave and half free, so in 1942 the world must make its decision for a complete victory one way or the other.

As we begin the final stages of this fight to the death between the free world and the slave world, it is worth while to refresh our minds about the march of freedom for the common man. The idea of freedom—the freedom that we in the United States know and love so well—is derived from the Bible with its extraordinary emphasis on the dignity of the individual. Democracy is the only true political expression of Christianity.

The prophets of the Old Testament were the first to preach social justice. But that which was sensed by the prophets many centuries before Christ was not given complete and powerful

¹ This chapter by Henry A. Wallace, Vice-President of the United States, was originally delivered as an address to the Free World Association, meeting in New York City on May 8, 1942

political expression until our nation was formed as a federal union a century and a half ago. Even then, the march of the common people had just begun. Most of them did not yet know how to read and write. There were no public schools to which all children could go. Men and women can not be really free until they have plenty to eat and time and ability to read and think and talk things over. Down the years, the people of the United States have moved steadily forward in the practice of democracy. Through universal education, they now can read and write and form opinions of their own. They have learned, and are still learning, the art of production—that is, how to make a living. They have learned, and are still learning, the art of self-government.

If we were to measure freedom by standards of nutrition, education, and self-government, we might rank the United States and certain nations of western Europe very high. But this would not be fair to other nations where education has become widespread only in the last twenty years. In many nations, a generation ago, nine out of ten of the people could not read or write. Russia, for example, was changed from an illiterate to a literate nation within one generation, and, in the process, Russia's appreciation of freedom was enormously enhanced. In China, the increase during the past thirty years in the ability of the people to read and write has been matched by their increased interest in real liberty.

Everywhere, reading and writing are accompanied by industrial progress, and industrial progress sooner or later inevitably brings a strong labor movement. From a long-time and fundamental point of view, there are no backward peoples which are lacking in mechanical sense. Russians, Chinese, and the Indians both of India and the Americas all learn to read and write and operate machines just as well as your children and my children. Everywhere the common people are on the march. Thousands of them are learning to read and write, learning to think together, learning to use tools. These people are learning to think and work together in labor movements, some of which may be

extreme or impractical at first, but which eventually will settle down to serve effectively the interests of the common man.

When the freedom loving people march—when the farmers have an opportunity to buy land at reasonable prices and to sell the produce of their land through their own organizations, when workers have the opportunity to form unions and bargain through them collectively, and when the children of all the people have an opportunity to attend schools which teach them the truths of the real world in which they live—when these opportunities are open to everyone, then the world moves straight ahead.

But in countries where the ability to read and write has been recently acquired or where the people have had no long experience in governing themselves on the basis of their own thinking, it is easy for demagogues to arise and prostitute the mind of the common man to their own base ends. Such a demagogue may get financial help from some person of wealth who is unaware of what the result will be. With this backing, the demagogue may dominate the minds of the people, and, from whatever degree of freedom they have, lead them backward into slavery. Herr Thysen, the wealthy German steel man, little realized what he was doing when he gave Hitler enough money to enable him to play on the minds of the German people. The demagogue is the curse of the modern world, and, of all the demagogues, the worst are those financed by well-meaning wealthy men who sincerely believe that their wealth is likely to be safer if they can hire men with political "it" to change the signposts and lure the people back into slavery of the most degraded kind. Unfortunately for the wealthy men who finance movements of this sort, as well as for the people themselves, the successful demagogue is a powerful genie who, when once let out of his bottle, refuses to obey anyone's command. As long as his spell holds, he defies God Himself, and Satan is turned loose upon the world.

Through the leaders of the nazi revolution, Satan now is trying to lead the common man of the world back into slavery and

darkness. For the stark truth is that the violence preached by the Nazis is the devil's own religion. So also is the doctrine that one race or one class is by heredity superior and that all other races or classes are supposed to be slaves. The belief in one Satan-inspired fuehrer, with his Quislings, his Laval, and his Mussolini—his "gauleiters" in every nation in the world—is the last and ultimate darkness. Is there any hell hotter than that of being a Quisling, unless it is that of being a Laval or a Mussolini?

In a twisted sense, there is something almost great in the figure of the supreme devil operating through a human form, in a Hitler who has the daring to spit straight into the eye of God and man. But the nazi system has a heroic position for only one leader. By definition only one person is allowed to retain full sovereignty over his own soul. All the rest are stooges—they are stooges who have been mentally and politically degraded, and who feel that they can get square with the world only by mentally and politically degrading other people. These stooges are really psychopathic cases. Satan has turned loose upon us the insane.

Man on the March

The march of freedom of the past one hundred fifty years has been a long-drawn-out people's revolution. In this great revolution of the people, there were the American Revolution of 1775, the French Revolution of 1792, the Latin-American revolutions of the Bolivarian era, the German Revolution of 1848, and the Russian Revolution of 1918. Each spoke for the common man in terms of blood on the battlefield. Some went to excess. But the significant thing is that the people groped their way to the light. More of them learned to think and work together.

The people's revolution aims at peace and not at violence, but if the rights of the common man are attacked, it unleashes the ferocity of a she-bear who has lost a cub. When the nazi psychologists tell their master Hitler that we in the United States may be able to produce hundreds of thousands of planes but that we have

no will to fight, they are only fooling themselves and him. The truth is that when the rights of the American people are transgressed, as those rights have been transgressed, the American people will fight with a relentless fury which will drive the ancient Teutonic gods back cowering into their caves. The *Götterdämmerung* has come for Odin and his crew.

The people are on the march toward even fuller freedom than the most fortunate peoples of the earth have hitherto enjoyed. No nazi counter-revolution will stop it. The common man will smoke the Hitler stooges out into the open in the United States, in Latin America, and in India. He will destroy their influence. No Lavals, no Mussolinis will be tolerated in a free world.

The people, in their millennial and revolutionary march toward manifesting here on earth the dignity that is in every human soul, hold as their credo the four freedoms enunciated by President Roosevelt in his message to Congress on January 6, 1941. These four freedoms are the very core of the revolution for which the United Nations have taken their stand. We who live in the United States may think there is nothing very revolutionary about freedom of religion, freedom of expression, and freedom from the fear of secret police. But when we begin to think about the significance of freedom from want for the average man, then we know that the revolution of the past one hundred fifty years has not been completed, either here in the United States or in any other nation in the world. We know that this revolution cannot stop until freedom from want has actually been attained.

And now, as we move forward toward realizing the four freedoms of this people's revolution, I would like to speak about four duties. It is my belief that every freedom, every right, every privilege has its price, its corresponding duty without which it cannot be enjoyed. The four duties of the people's revolution, as I see them today, are these:

- (1) The duty to produce to the limit.
- (2) The duty to transport as rapidly as possible to the field of battle.
- (3) The duty to fight with all that is in us.
- (4) The duty to build a peace—just, charitable, and enduring.

The fourth duty is that which inspires the other three.

We failed in our job after World War I. We did not know how to go about building an enduring world-wide peace. We did not have the nerve to follow through and prevent Germany from rearming. We did not insist that she "learn war no more." We did not build a peace treaty on the fundamental doctrine of the people's revolution. We did not strive whole-heartedly to create a world where there could be freedom from want for all the peoples. But by our very errors we learned much, and after this war we shall be in position to utilize our knowledge in building a world which is economically, politically, and, I hope, spiritually sound.

Modern science, which is a by-product and an essential part of the people's revolution, has made it technologically possible to see that all of the people of the world get enough to eat. Half in fun and half seriously, I said the other day to Madame Litvinoff: "The object of this war is to make sure that everybody in the world has the privilege of drinking a quart of milk a day." She replied: "Yes, even half a pint." The peace must mean a better standard of living for the common man, not merely in the United States and England but also in India, Russia, China, and Latin America—not merely in the United Nations, but also in Germany and Italy and Japan.

Some have spoken of the "American Century." I say that the century on which we are entering—the century which will come out of this war—can be and must be the century of the common man. Perhaps it will be America's opportunity to suggest the freedoms and the duties by which the common man must live. Everywhere the common man must learn to build his

own industries with his own hands in a practical fashion. Everywhere the common man must learn to increase his productivity so that he and his children can eventually pay to the world community all that they have received. No nation will have the God-given right to exploit other nations. Older nations will have the privilege to help younger nations get started on the path to industrialization, but there must be neither military nor economic imperialism. The methods of the nineteenth century will not work in the people's century which is now about to begin. India, China, and Latin America have a tremendous stake in the people's century. As their masses learn to read and write, and as they become productive mechanics, their standard of living will double and treble. Modern science, when devoted wholeheartedly to the general welfare, has in it potentialities of which we do not yet dream.

And modern science must be released from German slavery. International cartels that serve American greed and the German will to power must go. Cartels in the peace to come must be subjected to international control for the common man, as well as being under adequate control by the respective home governments. In this way, we can prevent the Germans from again building a war machine while we sleep. With international monopoly pools under control, it will be possible for inventions to serve all the people instead of only the few.

Yes, and when the time of peace comes, the citizen will again have a duty, the supreme duty of sacrificing the lesser interests for the greater interest of the general welfare. Those who write the peace must think of the whole world. There can be no privileged peoples. We, ourselves, in the United States are no more a master race than the Nazis. And we cannot perpetuate economic warfare without planting the seeds of military warfare. We must use our power at the peace table to build an economic peace that is just, charitable, and enduring.

If we really believed that we are fighting for a people's peace, all the rest becomes easy. Production, yes—it will be easy

to get production without either strikes or sabotage; production with the wholehearted co-operation between willing arms and keen brains; enthusiasm, zip, energy geared to the tempo of keeping at it everlastingly day after day. Hitler knows as well as those of us who sit in on the War Production Board meetings that we here in the United States are winning the battle of production. He knows that both labor and business in the United States are doing a most remarkable job and that his only hope is to crash through to a complete victory at some time during the next six months.

And then there is the task of transportation to the line of battle by truck, by railroad car, by ship. We shall joyously deny ourselves so that our transportation system is improved by at least thirty per cent.

I need say little about the duty to fight. Some people declare, and Hitler believes, that the American people have grown soft in the last generation. Hitler agents continually preach in South America that we are cowards, unable to use, like the "brave" German soldiers, the weapons of modern war. It is true that American youth hates war with a holy hatred. But because of that fact and because Hitler and the German people stand as the very symbol of war, we shall fight with a tireless enthusiasm until war and the possibility of war have been removed from this planet. We shall cleanse the plague spot of Europe, which is Hitler's Germany, and with it the hell-hole of Asia—Japan.

The American people have had guts and always will have. You know the story of Bomber Pilot Dixon and Radioman Gene Aldrich and Ordnance-man Tony Pastula—the story which Americans will be telling their children for generations to illustrate man's ability to master any fate. These men lived for thirty-four days on the open sea in a rubber life raft, eight feet by four feet, with no food but that which they took from the sea and the air with one pocket knife and a pistol. And yet they lived it through and came at last to the beach of an island they did not know. In spite of their sufferings and weakness, they stood like

men, with no weapons left to protect themselves, and no shoes on their feet or clothes on their backs, and walked in military file because, they said, "If there were Japs, we didn't want to be crawling."

The Coming Crisis

The American fighting men, and all the fighting men of the United Nations, will need to summon all their courage during the next few months. I am convinced that the summer and fall of 1942 will be a time of supreme crisis for us all. Hitler, like the prize fighter who realizes he is on the verge of being knocked out, is gathering all his remaining forces for one last desperate blow. There is abject fear in the heart of the madman and a growing discontent among his people as he prepares for his last all-out offensive.

We may be sure that Hitler and Japan will co-operate to do the unexpected—perhaps an attack by Japan against Alaska and our northwest coast at a time when German transport planes will be shuttled across from Dakar to furnish leadership and stiffening to a German uprising in Latin America. In any event, the psychological and sabotage offensive in the United States and Latin America will be timed to coincide with, or anticipate by a few weeks, the height of the military offensive.

We must be especially prepared to stifle the fifth columnists in the United States who will try to sabotage not merely our war material plants, but even more important, our minds. We must be prepared for the worst kind of fifth-column work in Latin America, much of it operating through the agency of governments with which the United States at present is at peace. When I say this, I recognize that the peoples, both of Latin America and the nations supporting the agencies through which the fifth columnists work, are overwhelmingly on the side of the democracies. We must expect the offensive against us on the military, propaganda, and sabotage fronts, both in the United States and in Latin America, to reach its apex some time during the next few

months. The convulsive efforts of the dying madman will be so great that some of us may be deceived into thinking that the situation is bad at a time when it is really getting better. But in the case of most of us, the events of the next few months, disturbing though they may be, will only increase our will to bring about complete victory in this war of liberation. Prepared in spirit, we can not be surprised. Psychological terrorism will fall flat. As we nerve ourselves for the supreme effort in this hemisphere, we must not forget the sublime heroism of the oppressed in Europe and Asia, whether it be in the mountains of Yugoslavia, the factories of Czechoslovakia and France, the farms of Poland, Denmark, Holland, and Belgium, among the seamen of Norway, or in the occupied areas of China and the Dutch East Indies. Everywhere the soul of man is letting the tyrant know that slavery of the body does not end resistance.

There can be no half measures North, South, East, West, and Middle West—the will of the American people is for complete victory.

No compromise with Satan is possible. We shall not rest until all the victims under the nazi yoke are freed. We shall fight for a complete peace as well as a complete victory.

The people's revolution is on the march, and the devil and all his angels can not prevail against it. They can not prevail, for on the side of the people is the Lord.

He giveth power to the faint; to them that have no might He increaseth strength. . . . They that wait upon the Lord shall . . . mount up with wings as eagles; they shall run, and not be weary; they shall walk and not faint.

Strong in the strength of the Lord, we who fight in the people's cause will never stop until that cause is won.

XVII

A Viewpoint from China¹

THE TORCH of democratic idealism and the revolutionary faith of the Chinese founding fathers was thrown to them from the fathers of your own Fourth of July. Dr. Sun was American-educated and took his inspiration from the early American patriots who also were not afraid to create new worlds. No Chinese patriot, however blinded by his devotion, will claim that China has fully realized her own democratic faith. In 1911 there was in China hardly any preparation for representative government and, except for the few leaders, scarcely anyone had the slightest notion of how a democracy operates. As Dr. Sun used to say, mortals and their institutions do not spring to life in full maturity. They must grow from humble beginnings. They will learn only by their mistakes until, in the process of trial and error, humanity advances. We had to try to develop in a few years from a medieval empire to a modern democracy against incessant intrigue and finally military attack of a Japan who wanted no democracy in Asia. But for all our mistakes and difficulties, our democracy made us a unified nation.

For five years a united China has kept fighting—fighting in a way military men of magnificently equipped armies do not always understand—fighting in the irregular way in which revolutionary armies without equipment have always had to fight—fighting in exactly the same way as George Washington's armies

¹ This chapter by Dr. T. V. Soong, Minister of Foreign Affairs, the Republic of China, was originally delivered as an address at Carnegie Hall, New York City, on October 10, 1942, the occasion of a rally for United China relief. The first 175 words, emphasizing the importance of October 10 to the people of his country, since it corresponds to the American Fourth of July, are omitted here for the reason that they do not apply directly to the general subject under discussion.

had to fight, retreating, retreating, and retreating, past this very spot, from the defeat of the battle of Long Island to the victory of the battle of Trenton—fighting with wits against Japanese mechanized forces asking everything that even your marines can give. When the United Kingdom and the United States went to war with Japan, we thought the end of our fighting was near. But today the Japanese are stronger than ever in the Far East, and our supply base in Burma is gone. Ambassador Grew has had to live with the Japanese during these critical war years. No one tells better than he what fanatically determined fighters and implacable foes they are, and how dangerously strong and menacing to you as well as to us.

Why do the Chinese keep fighting a foe as strong as that—despite democratic reverses? Because they have a revolutionary faith in you, the democracy you Americans stand for and your courage to build new worlds. Because they are sure that the kind of a world that the American Revolution and the Chinese Revolution can together create will be a world in which Chinese children can live as well as American children.

What do they ask in return for that faith in you? If I could sum it up in a sentence, I would say that what they want in return is a revolutionary faith on your part—revolutionary faith in yourselves and in the possibilities of democracy and your democratic allies—faith enough to let yourselves and the other principal United Nations start now—realistically—to build the kind of democratic world that can stay democratic after this conflict is over. They want to see action begun now to realize the resolve of your great President, which is also the resolve of Generalissimo Chiang Kai-shek, about the United Nations and democracy and the four freedoms—for Asia as well as for Europe and the Americas.

In announcing on this auspicious day that the United States government is prepared promptly to negotiate a treaty for the immediate relinquishment of extra-territorial rights in China and for the settlement of related questions, thereby giving recog-

dition to China's new status, the President has again evinced his deep understanding of the political sentiments of an aroused Asia.

There is no question for the Chinese as to China's future. To beat off the Japanese, we have fought and endured for five years; it may well take us another five years, but the common people of China, as well as their leaders, do not even think of defeat. We know that any people with resources and man power can—at a price to their civilization—become militarily strong. We remember that we, like other nations, have at times been the world's best soldiers, best manufacturers, best inventors, and that we are going through a national renaissance as well as a war. But we do not want military power; after victory we want lasting peace. Because this new China has suffered more from aggression than perhaps any other nation still free—because it does feel its own potential strength—because as the newest convert to democracy the democratic dream is strong within us—we want to do something now so that the society of the future will not have to be an armed camp.

From this stems the natural desire of China to see set up, as quickly as possible, an executive council of the United Nations and to help to evolve therefrom a workable world order, an international instrument fully capable of dispensing justice and enforcing law and order among nations during, as well as after, the war. We know from bitter experience that no forward planning—postwar or otherwise—is worth the effort unless a realistic machinery for collective security—for freedom from fear—can be developed and be actually working before this war ends and while the pressures of war make it possible for such co-operation to catch hold.

The ghost of the League of Nations does not daunt us Chinese. We have thought perhaps the most about its failure because we were the first and the most grievous victim of that failure. It was on the rock of the Manchurian incident—at which time I was charged by my government with the direction of our foreign

policy—that the League foundered and this war began—for you as well as for us. But we know that the League failed for a very concrete reason—because the two great powers which controlled it and could prevent action by it did not believe it was necessary for their own security. That is not the situation today.

Today those powers which did not feel the League useful to safeguard their own security, and you who felt it even less necessary for your own security, have to recognize that international order and collective security have become essential for the survival of strong states as well as the preservation of weaker ones. Today an aggressor left alone in his preparations can get a death jump on a strong state as well as a weak one.

A second difference from the League is that this time we can form our international society while we are still fighting the war. Undoubtedly much of the trouble with the League was that it was formed after and not during World War I when the Allied Nations no longer had to find answers to the thousand and one reasons why men do not want to co-operate. Men learn to co-operate only by having to do it and the only time when they will practice it is when they doubt whether they can survive if they don't.

The new world order, like the Chinese Republic, and like all human institutions, will never be realized until we start it. And we shall never be more ready for starting it than now. Under the impact of the terror, the sacrifices, and the suffering we are going through, we are seeing more clearly than ever before, and perhaps more clearly than we ever shall see again, the crying necessity of a new world order. If we can not compose our differences now with all that we hold dear at stake, what chances are there later when exhaustion, mutual recriminations, and cynicism at the end of the war paralyze common action?

We can not oppose to the onward surge of the Nazis and the Japanese a mere negative attitude, the vindication of the Nine-Power Pact, the defense of the *status quo* of the British Empire, or the territorial integrity of the Soviet Union and of the United

States. We must give to our young men, who are called on to sacrifice, a flaming mission of a new world order and begin to make that mission come true now. Against a fanatic faith in supermen, we must oppose a revolutionary enthusiasm for common men.

We are in the midst of a war more terrible, more all-embracing than the last, and to the millions of the Chinese and Russian dead will be added millions of American and British dead before we are through. Are these to die in vain; after victory will we have nothing better to offer our peoples than universal exhaustion to be followed in a few years by still another war? Or shall we begin at once, here and now, to make what will prove to be the great advance in human history, the emergence of a world order?

China has known the depth of suffering; she means not only to win, but to keep her arms bright after the war. Through Generalissimo Chiang Kai-shek she pledges those arms to her comrades of this war to be used, not in furtherance of nationalistic ambitions, but to help uphold the new world of justice and freedom.

XVIII

Tomorrow's Government

IT WILL BE APPARENT that the preceding chapters fall into four distinct categories, each of which complements the others and is indispensable to a well-rounded view of world federation and the prospect of its realization in the not too distant future. What federation is—as well as what it is not—may perhaps be best understood from an examination of these four categories, in the order of their appearance in this volume.

The first four chapters reveal by historical perspective the federal solution of the problem of collective security. Historians may well disagree as to the existence of an over-soul of history, but there is no equivocating the likelihood that the existence of certain factors, at a particular time and in a specific arrangement as to force and vitality, will provide the conditions for a particular solution. Hence, it is pertinent to ask, Is not constitutional federation, rather than any patchwork of temporary international agreement—which even its formulators can regard as no more than impermanent insurance against another day of violence and chaos—worth the intellectual discomfiture incident to its trial?

As Norman Hill has remarked in his patently realistic chapter, the citizens of the national states are conditioned to nationalism, so that they regard allegiance to the state as primordial. Only by pulling doggedly at his bootstraps can the modern citizen peer above the wall of his patriotism, and then only for a brief moment, before he falls back gasping into his natural psychological quarters. The landscape, however, is not more terrifying than the attempt that is required to view it. At worst, it will require no more than a large amount of courage and a good deal of faith in the experimental techniques of the new scientific age. Though

with certain nostalgia modern man has shown his ability to replace the horse and buggy with the automobile, it remains to be seen if he will consent to the passing of a political system that is as outmoded as were the horse and buggy.

Our national-state system functioned no more ideally than any system will ever function, but it satisfied the conditions and wants of man in an age of sailing ships and handicraft economics. It undoubtedly performed a useful service in reducing the importance of the township mind. The center of attention was measurably shifted, so that the interests of man were focussed upon the collectivity of many townships. This was an excursion that thrilled those not in mortal fear of innovation, but it, too, had its Ciceros crying out that the former days were better than these. It must be remembered, however, that provincialism is a matter of degree. It depends fundamentally upon the lack of celerity in communications.

Since the emergence of the steam engine and the electric dynamo, the national-state system has floundered in a mire of contradictions. Like the feudalism that preceded it, it has insisted upon the recognition of its own importance, and, at the same time, has sought to enlarge its functions to meet the social demands of the new age, an age which was born with the passing of the clipper ship and the stage coach. In the face of such inventions as radio, airplane, and radar, these efforts have become, from the passionless perspective of history, vain and even comic, and from the more humane estimates of those who must witness them, tragic in high degree. The exaggerated claims of the national state are one more manifestation of the historic lag in the adaptation of human institutions to the requirements of progress. When this lag becomes apparent to the overwhelming majority of mankind, however, as it has even now at the cost of blood and sweat and tears, there is justification for the belief that the time has come for constructive change.

From the standpoint of the average citizen, the creation of another level of government, a level heretofore regarded as too

remote for any personal use, merely means that another area of orderly politics has come into being. There is good reason to believe that it would offer a milder form of politics than that represented by threat, bluster, and war, which characterizes the political techniques of an outgrown nationalism. War is only ultra-violent politics. But its demands are obviously more onerous than those of any other type of political activity. The creation of a new level of orderly politics based upon the federal principle, would be something more than the substitution of one kind of politics for another—though it may be reduced to a matter of degree. The ordinary man is familiar with local politics. He relies upon it and has no fear of his ability to adapt himself to the social norms created for mutual protection. Though it is more remote, he has little fear of national politics. Does he not faithfully march off to the polls on election day and cast his ballot for a man whom he has never seen and whom he shall probably never see in the flesh? Why should he quail before the prospect of political action upon the newer and higher level of world federation?

The second category of the discussions relates to the theory of federalism and especially as that theory applies to larger geographic and popular compass than has generally been imagined possible. Any discussion of the federal distribution of power or of the organization of a central world government is not, by its very nature, literature designed to carry the interests of the reader into the regions of sheer enjoyment. Constitutions and statutes are interminably dull reading. But they are nevertheless important to human living. There is a feeling of security that gathers itself about the citizen who knows his rights and his duties, who relies upon a governmental disposition that endures more consistently than the caprice of any personal ruler. Though often criticized for lack of plasticity, a written constitution has nevertheless the quality of imbuing those who live under it with confidence. Even today, we may witness large populations which exhibit the characteristics of Montesquieu's man in the state of nature—trembling before imagined and anticipated dangers.

The third section of the book reveals the presumed impediments to the achievement of world federation. Mr. Potter's chapter on sanctions and Mr. Maddox's contribution on the politics of federation, as well as the chapters by Messrs. Bergman, Jaszi, and Dolivet, analyze the factors in the more important of these objections. None will maintain that federation could, or should, be summarily prescribed as the political system for the postwar world. No system ought ever to be saddled upon any people without full discussion and criticism. Only by such procedure will the persons directly affected know the nature of the system and enough of its dynamics to operate it successfully. Adoption in less than pure form would be far preferable to uncritical acceptance of the system set forth in the appendix.¹

The importance of the chapter by Mr. Jaszi consists especially in its realistic treatment of the grave problems that must come early on the agenda of the peace conference. Shall Germany be dismembered? Shall she be isolated economically as poor Austria was at Versailles? Shall she be reduced to political, economic, and military impotence and, thus, forced to do penance for the wrongs committed against the peoples of the world? For how long must she bear this humiliation in sackcloth and ashes or with a rope about her neck? The answers of the United Nations to these questions will determine, for the most part, the permanence of the "final settlement."

The Axis powers have played for very high stakes, and under rules of their own making. By the crudest of standards of justice they should meet the consequences of their defeat. The peace makers must determine how much retribution they can exact without too great injury to the social and ethical structure of the whole world.

It is suggested that the Axis peoples should be reconstructed (a word of many and varied emotional colors to the people of the United States). The idea behind this program is basically optimistic. It implies that these people have unfortunately been sub-

¹ Pp. 211-27.

jected to a vicious educational system and that they are its unwitting victims. They should be re-educated, so that they may fill responsible roles in the new political order. Therein lies its optimism. With proper adult instruction, they will see the error of their erstwhile national programs and come to react as common defenders of the rights of human beings of whatever race or condition of life.

It is paternalistic, too, in the sense that it assumes the ready acceptance of the truth, a truth dispensed under the hand of authority. If historical experience is any index to the probable reaction of these millions of political school children, the United Nations had better be prepared to retain for half a century, at least, the visible symbol of military power in the occupied countries. The first reaction to reconstruction in the Axis countries will naturally be that of sullen acceptance of defeat. The new education will be viewed as a technique for increasing the humiliation of defeat.

Allied bitterness towards Axis peoples will be substantially mitigated in the event of Allied victory. We shall want to do something generous for them. Without entering into a discussion of the exceedingly impotent position occupied by the subject of the modern strong state, we may hazard the observation that the Axis peoples should not be brought too quickly into the world federation. They ought to occupy a position of territorial status under the supervision of the world union. Therein they could initiate their political precedents and be checked by the union government. They will learn by doing and not by any textbook method. After the former Axis peoples have demonstrated their ability to operate their territorial governments in conformity to world standards, they should be permitted to become member states in the world federation. This settlement heaps no humiliation upon them that is not identifiable as an element in the ideology of Axis nationalism. The judgment of the world congress should be sound enough to determine when these territories are ready for statehood. With the federation having a monopoly of

violence, there is no need for this decision to be premature, for the congress has all of the centuries that it needs to test the capacities of those residing in union territories.

The fourth section of this book consists of three very interesting reactions of statesmen to the prospect of a world state. Vice-President Wallace's "The Price of Free World Victory" is already one of the modern political classics. It will grow with the years, for it is the product of an intellectual perspective unsurpassed in the long history of American statesmanship. Mr. Willkie's chapter is replete with practical wisdom. None has put his finger on the exposed nerves of the world body-politic with such directness. And the insistence of Mr. T. V. Soong upon the immediate organization of a United Nations council shows the fear of the East that the idealism of war aims may evaporate, whenever the prospects of peace come again to the world.

What is to be the particular characteristic of the civilization into which the world moves? The nazi-fascist propagandists mouth their gibberings about discipline, order, duty, certainty, prosperity, and finally, security. Security is the lure that appeals particularly to the little men. These are no more than the perfumed catchwords of reactionary theory, and historically they were as applicable when feudalism was dying as they are today in the directors' room of I. G. Farben.

Some have spoken of the "American Century" [writes Henry Wallace]. I say that the century on which we are entering—the century which will come out of this war—can be and must be the century of the common man. Perhaps it will be America's opportunity to suggest the freedoms and the duties by which the common man must live. Everywhere the common man must learn to build his own industries with his own hands in a practical fashion. Everywhere the common man must learn to increase his productivity so that he and his children can eventually pay to the world community all that they have received. No nation will have the God-given right to exploit other nations. Older nations will have the privilege to help younger nations get started on the path of industrialization, but there must be neither military nor

economic imperialism. The methods of the nineteenth century will not work in the people's century which is now about to begin. India, China, and Latin America have a tremendous stake in the people's century. As their masses learn to read and write, and as they become productive mechanics, their standard of living will double and treble. Modern science, when devoted wholeheartedly to the general welfare, has in it potentialities of which we do not yet dream²

But how shall we, the planners of tomorrow's government, ensure the realization of this brave new world? It is practically impossible to focus the eyes of more than one billion human beings upon a particular social vista; it is no easy task to secure the simultaneous attention of the responsible leaders of one billion people. Wendell Willkie, among others, has pleaded for wholesome, honest, serious discussion among the people, the common people of the world. They must forge the idealism for which this war is being waged. The dynamic lies of the nazi-fascist spokesmen must be put under the scrutiny of the devastating logic of truth. No people, no matter how mechanically equipped, can fight effectively on the military, the industrial, or the propaganda fronts unless it is innately convinced of the righteousness of its cause. The United Nations must develop the latent idealism of its position. Can it escape its defensive psychology, its Maginot-mindedness, except through speculation upon the prospects of a better, more ordered world?

The attainment of such an intellectual armor will demand a mental outlook that reaches far beyond the small, selfish desiderata of the dying nationalistic century. Balkanization, isolation, and mercantilism were conditions that constricted intellectual outlook. They, too, were defensive in character, but we now realize that a series of little advantages may well produce a mortal disadvantage to a national people.

Mr. Willkie has set his fulcrum upon solid ground. He senses the issue as few recognized leaders have sensed it.

² *Ante*, pp 191, 192.

We must learn to work together; we must learn to work with all our allies that we may win both the war and the peace. We must work together today; tomorrow will be too late. Our most immediate common need is, of course, a united military plan arrived at by a board of strategy representative not alone of the United States and Great Britain but likewise of our other allies. Even such obviously essential co-operation has not yet been brought about. It is true that we are beginning to work with the British. That is comparatively easy, for we are possessed of the same linguistic and cultural heritage. But we must learn equally well to work with Russians and Chinese in the arduous task of today. And that task is not merely the task of military co-operation, however pressing that may be; it is also the task of working together now for a world at peace. For . . . military victory is fruitless unless on the anvil of war we hammer out joint and honorable purposes.³

That a preponderance of opinion in the United Nations is favorable to the establishment of effective world organization is, at this time, indisputable, but the form which that organization shall take is a matter of wide divergence of opinion. There is danger now that the competing solutions may lead only to a stalemate and indecision. As has been noted a proposed federal constitution is presented in the appendix to this volume.⁴ Originally formulated by Mr. Eaton, it has been altered many times to meet the criticism of competent world scholars. As it now stands, it does not represent the formal convictions of any one person. No instrument framed by plural authorship ever does. Its value lies especially in that it has been reduced to the printed page, and becomes, thereby, a model for public study and criticism.

The proposed constitution makes no provision whatever for restricting membership to any special group of states. The federal union created through its ratification would be open to any applying national state whenever that admission had been approved by the world congress. But admission could not reasonably be achieved unless the applying state were willing to agree to six very fundamental conditions:

³ *Ante*, pp 180, 181

⁴ See pp 211-27

1. Every member state must be willing to permit the democratic election of its representatives to the congress;

2. Every member state must co-operate with the government of the federation;

3. Every member state must be willing to observe the bill of rights specified in Articles 22–27, whether or not its own law grants additional rights to its own citizens;

4. Every member state must agree that henceforth all of its disputes shall be adjudicated in the courts of the federation;

5. Every member state must grant paramount jurisdiction over its colonies to the federation for certain specified purposes; and

6. Every member state must be willing to surrender all of its offensive weapons of certain defined categories to the armed forces of the federation.

A P P E N D I X

Proposed Constitution of the United Nations¹

1. When this Constitution shall be ratified by a majority of the United Nations having a combined population in excess of three hundred million persons exclusive of the populations of dependencies, it shall be adopted and shall become binding and valid for all intents and purposes throughout all territories of the states thus ratifying or which shall hereafter ratify the same. Each state shall determine the manner of its ratification hereof

2. Any adult person who is eligible to vote in the elections of a member state and who swears allegiance to the United Nations shall be a citizen thereof.

3. All legislative powers herein granted shall be vested in a Congress of the United Nations, hereinafter called the Congress, which shall consist of a Council and an Assembly.

4. Members of the Assembly shall be elected for terms of three years by popular, secret ballot, and each member state shall have one representative for each two million votes (or fraction thereof) cast by its citizens in any such election, except that no member state shall have more than 15 per cent of all seats in the Assembly.

5. The seats thus allowed to any member state shall be distributed among the different political parties in proportion to the total of all votes received by all of the candidates of each party. The seats thus allowed to any party shall be given to those candidates of that party

¹ This plan as it appears here was drafted by Dr. Howard O. Eaton following criticism by dozens of scholars and political leaders from all over the world. None of the collaborators on this book subscribes to *all* of its provisions.

who received the largest popular vote in the election, or in case of a vacancy during a term of office the vacant seat shall be given to the candidate of that same party who received the next largest popular vote in the election.

6. Every member state shall have one representative in the Council for each fifty million inhabitants or major fraction thereof, but no nation shall have more than three representatives. Smaller states may, by mutual agreement among states having similar cultural or economic interests, designate one collective representative for every twenty-five million inhabitants of any such group of states. When the Council shall assemble for its first meeting, all members thereof shall be divided by lot into three classes having terms of office respectively of three, six, and nine years; after the expiration of these first terms all members of the Council shall thereafter hold office for nine years. Each member state or group of states shall determine the manner of selecting and recalling its representatives in the Council.

7. Terms of office for members of both houses of the Congress shall begin on the first day of January of years evenly divisible by three.² All elections to the Congress shall be held during the six months preceding such dates and in accordance with the election laws of the several member states, except as the Congress may provide uniform election laws for such elections.

8. If any state which is occupied in whole or in major part by foreign troops or which is deemed by the Congress not to be *de facto* independent shall (through that government or agency which is recognized by the Congress to have legitimate authority to act in the name of the state) accept the provisions of this Constitution, then such government or agency may designate one representative to each house. Such action shall not bind the said state in any manner as to its form of government or its policy when it shall have regained its independence.

9. No person shall be a member of the Congress who shall not have

² e.g., 1944, 1947, 1950, etc

attained the age of thirty years, and who shall not be a citizen of the union and of the state he represents. The Congress shall be the sole judge of the elections, returns, and qualifications of its members.

10. The Congress shall determine the time and place of its meetings. Members of the Congress shall be privileged from arrest except for treason to their oath of allegiance or for bribery; and for any speech in the Congress they shall not be questioned in any other place. No member of the Congress shall be eligible for any civil office under the union if that office shall have been created while he was a member.

11. A majority of each house shall constitute a quorum to do business, and each house shall elect its own officers and determine the rules of its proceedings and may, with the concurrence of two-thirds of the whole membership thereof, expel a member for cause. A majority of either house may impose rules of closure limiting debate in that house.

POWERS OF THE CONGRESS

12. The Congress shall have power to lay and collect taxes on gifts, inheritances, and incomes from whatever source derived including incomes derived from public sources. The Congress shall not lay any capitation or head tax or any sales or transaction tax or any tax or duty on articles exported from a member state. During the ten years immediately following the adoption of this Constitution, the Congress may impose a direct assessment on all member states in proportion to their representation in the Congress.

13. The Congress shall have power to borrow on the credit of the union, and to provide for the punishment of forging or counterfeiting the securities and fiduciary instruments, coins, and currency of the union or of member states, but member states may punish such crimes when committed within their territories.

14. The Congress shall have power to appropriate money from the treasury to meet the expenses of the union. No money shall be drawn from the treasury except in consequence of specific appropriations. A regular statement and account of receipts and expenditures of

the union shall be published annually. All bills for levying assessments, taxes or tariffs, or for borrowing money, shall originate in the Assembly, but the Council may propose and concur with amendments as on other bills.

15. The Congress shall have power to purchase gold and silver and to establish a currency which shall be a legal tender for all debts and taxes owed by or to the union. Any currency which is legal tender in any member state at the time such state becomes a member state shall retain such privileges within that state. The Congress may specify uniform conditions under which the currency of any member state shall be exchangeable at par for the currency of the union.

16. The Congress shall have power to regulate and encourage the commerce with and between member states and to provide facilities therefor. The Congress may impose restrictions on such commerce and travel, but only for the following reasons:

- (a) to facilitate and integrate the war effort of the union and member states;
- (b) to expedite the mails and the movement of troops and supplies;
- (c) to enforce immigration laws of the union and of member states;
- (d) to prevent traffic in vice and habit-forming drugs, and to enforce quarantines and public health measures;
- (e) to promote safety in travel and commerce;
- (f) to arrest and extradite fugitives from justice or persons accused of crime,
- (g) to prohibit or restrict commerce among member states in the products of any state which fails to comply with such conditions as the Congress may enact uniformly for all states as a means of raising and maintaining the labor standard of living above such minima as shall be defined by the Congress,
- (h) to enforce any provision of this constitution or any legislation thereunder

17. The Congress shall have power to regulate the exportation of commodities from member states to non-member states if necessary to protect the price thereof and to prevent unfair methods of competition between member states or their citizens in such trade. The Congress may restrict the importation into the union of these or competitive commodities whenever surpluses of such commodities are available within the union at prices which the Congress deems to be fair and competitive prices, due consideration being given to costs of transportation and handling. The Congress may provide for export pools of any such commodities to accomplish equitably the purpose of this article.

18. The Congress may impose a tariff on goods imported into the union, but shall impose no tariff or barrier on trade between member states. No member state shall, without the consent of the Congress, impose or collect duties on imports or exports, or maintain any quota or other restriction on trade except in accordance with laws enacted at least one year prior to the adoption of this Constitution. The Congress may require that all such tariffs affecting the trade between member states shall be progressively reduced by annual decrements of not more than 5 per cent of their original amount or rate as of one year prior to the adoption of this Constitution. Any member state may reduce its tariffs more rapidly than is here provided either unilaterally or reciprocally with other states.

19. The Congress may establish a central banking system, and may, through this system, guarantee credits to facilitate the increase in the productivity of member states, to raise the standard of living throughout the union, to improve economic conditions during transitional periods of demobilization or economic depression, and to encourage the conservation of natural resources and the orderly and efficient employment thereof. All such loans shall be called "guaranteed loans" and shall be made solely on the basis of competitive allocations of this credit in accordance with voluntary bids submitted by individuals, firms, and appropriate governmental agencies.

20. The Congress shall have power to regulate and provide facili-

ties for international postal and electrical communications, to enact copyright, patent, trademark, and similar legislation, define standards of weights and measures, regulate the calendar and standard time, encourage and facilitate research and publish its results, and provide for compiling a decennial census of the union and for determining the degree of literacy of the population of the several member states. The Congress shall have power to provide for the creation and maintenance of permanent commissions of experts to deal with, among others, such questions as. food production and distribution, raw materials, the stabilization of currencies, movement of populations, determination of territorial boundaries, armaments, cartels, trade and commerce, aviation, ocean and river navigation affecting more than one member state, long term credits for international capital development, etc. No such commission shall have power to recommend any action which would not be permitted to the Congress or the government of the union under the provisions of this Constitution. The Congress shall have the power to review the findings and recommendations of any such commission and to act thereon, except insofar as any such commission shall be given by treaty or convention between states which shall have originally established the said commission powers other than as provided for herein.

21. The Congress shall have power to provide for the general welfare and to make all laws which shall be necessary and proper for carrying into effect and executing the powers which are vested by this Constitution in the union, the Congress, or any officer or department of the government of the union.

THE BILL OF RIGHTS

22. The Congress shall not suspend the privilege of the writ of habeas corpus nor proclaim martial law nor a state of siege except that in cases of insurrection or invasion the Congress may so provide for a specified period of time not to exceed three years, which period may thereafter be shortened or terminated at the discretion of the Congress. The Congress may employ the armed forces of the union to execute the laws enacted by the Congress, to repel aggressions or in-

vasions, or to preserve order when the Congress deems the safety of the union is jeopardized. The Congress shall not enact any measure in accordance with this article except by majority vote of the full membership of each house as fixed by the returns of the last preceding congressional election.

23. Neither the Congress nor the legislature of any member state shall enact any law abridging the freedom of speech or of the press, or the freedom of the people to listen to any speech or radio program of their choice or peaceably to assemble or to petition the government for a redress of grievances.

24. Neither the Congress nor the legislature of any member state shall by any law discriminate between persons of different political or religious opinion or punish any person because of the political opinion he holds or expresses, if such opinion does not advocate a change of government by force and violence. The Congress shall make no law respecting an establishment of religion or requiring any religious test or racial qualification for any office or public trust under the union.

25. No soldier or member of the armed forces of the union shall be quartered in any house without the consent of the owner. The right of any person to keep and bear his personal arms shall not be infringed, except that registration thereof by the police may be required.

26. The right of the people to be secure in their persons, houses, papers, communications, and effects against unreasonable disclosures, searches, and seizures shall not be violated; and no warrant of arrest shall be issued but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and any person to be arrested or thing to be seized.

27. The enumeration in this Constitution of certain rights shall not be construed to deny or disparage others granted by the Constitution and the laws of the several member states. Except as expressly prohibited in this Constitution, the Congress may provide for the greater protection of the civil rights and liberties of all persons under the jurisdiction of the union.

THE EXECUTIVE

28. The Assembly shall elect from among its members a premier, a minister of state, and a minister of finance; but no two of these shall be citizens of the same state. The ministers shall have access to all information available to the premier and shall advise him on all questions, but the premier shall not be required to act in accordance with their advice.

29. Any five members of the Assembly may demand a vote of confidence in the premier or either minister, and such vote shall be held within three days thereafter, provided that another such vote with reference to the same person shall not be required within thirty days thereafter. If the absolute majority of the Assembly, as determined by the most recent elections, shall vote a lack of confidence, the Assembly may, by majority of those voting, designate a new premier or minister, provided that the incumbent shall hold office until his successor has been duly elected and qualified.

30. In case of the death or disability of the premier to discharge the duties of his office, the minister of state shall become premier until the Assembly shall, by majority of those voting, determine that the premier is able to perform the duties of his office or shall elect a new premier.

31. The premier shall, by and with the advice and the consent of the Council, appoint secretaries of justice, defense, munitions, fortified zones, non-autonomous territories, communications, commerce, civil service, cultural interests, labor, health and nutrition, and such other departments as shall be provided for by law.

32. The premier may, with the consent of the Council, remove any secretary for cause. Secretaries shall have the same privileges as members of either house of the Congress during their term of office and for sixty days thereafter, except that they may vote only in that house of which they may be members.

33. The premier shall be the chief executive officer of the union, with power to countermand the order of any other officer, secretary, or

minister, except as to the appointment, promotion, or dismissal of the civilian personnel in the employ of the government. The Congress shall provide by legislation a board to hear all charges filed by any officer, minister, secretary, or the premier against any person in the employ of the government.

THE JUDICIARY

34. This Constitution and the laws of the Congress which shall be enacted in pursuance hereof shall be the supreme law of and within the union, and all legislative bodies and all executive, judicial, and other officers of all member states and of the union shall be bound thereby and shall be required to enforce the same, anything in the constitution or the laws of any member state to the contrary notwithstanding. All elected and appointed officers and judges of the union and of all member states must be citizens of the union.

35. The judicial power of the union shall be vested in one World Court and in such inferior courts as the Congress may from time to time ordain and establish. There shall not be less than nine justices of the World Court and not more than two of them shall be citizens of the same member state. The members of the World Court shall be so selected that there shall be among them representatives of the principal legal systems of the union. The Congress shall provide the rules for appointing all such justices and judges and shall specify their qualifications and compensation, but may not diminish the term of office or the compensation of any justice or judge during his continuance in office.

36. The judicial power of these courts shall extend to all cases in law and equity arising under this Constitution, the laws of the Congress and treaties to which the union or any member state is a party, and to controversies between two or more member states, or between a member state (with its consent) and a citizen of the union who is not a citizen or resident of the said state, or between citizens of the union who are not citizens of the same state, unless they be bona fide residents of the same state.

37. The Congress shall prescribe by law those cases in which the World Court shall have original and concurrent jurisdiction, and in all other cases herein provided for the World Court shall have appellate jurisdiction. Neither the union nor any member state may claim exemption from any suit in these courts on the grounds of sovereignty or of the alleged non-justiciable nature of the dispute or on any other grounds.

38. The premier, ministers, secretaries, and all officers of the federation shall be removed from office on impeachment for and conviction of treason, bribery, malfeasance, or other high crimes and misdemeanors. Justices of the World Court and judges of other courts established by the Congress may in like manner be impeached, convicted, and punished for treason or bribery. Treason against the union shall consist only of levying war against it or adhering to its enemies, giving them aid and comfort.

39. The Assembly shall have the sole power of impeachment hereunder, and the Council shall have the sole power to try all such impeachments. No person shall be convicted of impeachment without the concurrence of two-thirds of the full membership of the Council (as determined by the most recent elections). Punishment in cases of impeachment shall not extend further than to removal from office and disqualification to hold office under the union, but the person convicted shall nevertheless be liable to indictment, trial, judgment, and punishment according to law.

40. No member state shall deny to any person within its jurisdiction the equal protection of the laws, except that a member state may grant to its own citizens or residents special privileges with respect to the ownership of real property within its domestic territory. If a crime shall have been committed against the laws of any member state, the prosecution, judgment, and punishment thereof shall be in accordance with the established law and procedure of the said state. The Congress shall provide for the extradition from one member state to another of fugitives from justice and persons accused of crime. No member of

the civilian staff or of the armed forces of the union shall be exempt from the provisions of this article by reason of being such member.

41. If a crime shall be committed against the laws enacted by the Congress, the prosecution, judgment, and punishment shall be in accordance with legislation enacted by the Congress. In such cases no person shall be held to answer for a capital or otherwise infamous crime unless on an indictment of a grand jury, except in cases arising in the armed forces of the union which are to be tried and punished by military law. The accused shall enjoy the right of speedy and public trial by a competent jury; he shall not be tried or judged when not present in court; nor shall any person be subject for the same offense to be twice put in jeopardy of life or liberty, nor be compelled in any criminal case to be a witness against himself, nor be deprived of life or liberty without due process of law. The accused shall be informed of the nature of the accusation against him, he shall have the right of compulsory process for obtaining witnesses in his favor, and he shall have the assistance of counsel for his defense. Excessive bail shall not be required nor excessive fines imposed nor cruel and unusual punishments inflicted.

42. Public or private property shall not be required or taken by the union without just compensation, except that private property may be taken as punishment for crime after trial and judgment according to law. Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist within the union. The Congress shall not deny to any person within its jurisdiction the equal protection of the laws.

MEMBER STATES

43. Each member state shall retain in full all powers necessary, *inter alia*, to provide for its elections and government, enact and enforce its laws, administer justice, insure its domestic tranquility, govern its internal affairs, provide for and regulate the immigration into its domestic territories of persons not citizens of the union, control the naturalization of all immigrants, regulate its educational system, de-

termine its official language(s), and control all other matters not specifically delegated herein to the union and to the Congress and officers thereof. The powers not delegated to the union and to the Congress and officers thereof by this Constitution, nor prohibited by it to the several member states, are reserved to the several member states.

44 Neither the Congress nor any member state, except as provided herein, shall give or authorize any preference by any law or regulation to any member state or its citizens, territories, ports, cities, or trade facilities over those of another member state; nor shall vessels or aircraft bound to or from one member state be obliged to enter, clear, or pay duties or fees in another. Full faith and credit shall be given by the union and by each member state to the public acts, records, and judicial proceedings of other member states and of the union.

45. The premier shall conduct the foreign affairs of the union. No treaty shall bind the union unless it be ratified by the Congress. All treaties and trade agreements of all member states shall be filed with the Congress, and, except for reciprocal tariff treaties and trade agreements, the Congress may provide for the negotiation of amendments to such treaties in such wise as to make all provisions extend equally to all member states.

46. Two or more member states may, with the consent of the Congress, affiliate for their mutual benefit and the advancement of their economic and cultural interests, but no such association shall have or employ any military or naval power, or undertake action in any field other than specified in the enabling act by which the Congress shall have authorized the same. If any group of member states shall have agreed on the manner of designating a collective representative in the Council, as provided in Article 6, then the Congress may, with the unanimous consent of all states thus affected, delegate to such a group of states any or all of the following prerogatives: to form a common government; to have uniform laws for any purpose; to provide for a common currency and banking system consistent with the currency and banking system of the union; to provide for reciprocal tariffs or a customs union consistent with Article 18 hereof; and

to exercise such powers as have been reserved to the several member states by Article 43 hereof as shall be consented to by all states members of the group

47. If the Congress shall find that any duties or obligations which a member state may owe to a non-member state are incompatible with the interests which it is the duty of the union to protect, then the Congress may require the modification of such duties or the withdrawal of the member state from the union.

DEFENSE

48. If any member state shall be at war with a non-member state at the time of the adoption of this Constitution, the Congress shall declare war against the said non-member state, but this shall not affect the status of neutrality or belligerency of any other member state. Neither the union nor any member state thus engaged in war or thereafter engaged in the same war shall make a separate peace.

49. The Congress shall have power to unify and integrate the war effort of the several member states, to protect their territorial integrity and rights, to purchase and equip naval and military bases, fortified zones, and governmental districts over which the Congress shall have exclusive jurisdiction, to purchase or build naval and air craft, arsenals, and munitions factories, to raise and equip armies and provide for their regulation, to provide a general staff for the integration of the armed forces of the several member states, and to do anything which the Congress deems wise for the prosecution of any war in which the union is engaged.

50. When the Congress shall determine that there is no further organized aggression menacing the safety and freedom of any member state and requiring the maintenance of large armed forces by the several member states, then the several member states shall sell to the union all submarines and all armed vessels exceeding 5,000 tons displacement, built or building, together with the dockyards and naval bases needed for their upkeep, together with all armored tanks weighing more than five tons, and all artillery having a bore in excess of

100 mm., and all military aircraft together with military airports and all equipment for military and naval aviation.

51. No member state shall thereafter own or control any military or naval or air equipment falling within the categories specified in Article 50. No member state shall thereafter declare war or engage in hostilities or facilitate or permit hostile propaganda against any other state unless actually invaded. No member state shall engage in, or permit or encourage any overt action by its citizens or within its territories which might affect or modify the form of government of another member state or its social or economic organization.

52. The Congress may at any time declare war on any non-member state, and shall at all times protect the rights of citizens of the union and the rights and territorial integrity of each member state and the rights of all citizens thereof beyond its domestic frontier. The Congress shall make no appropriation for military or naval purposes for a longer period than three years. Nothing herein shall be construed to prohibit any member state from organizing such militia and police as it deems wise, supplied with arms and equipment other than the categories specified in Article 50, and the Congress may enact general legislation providing for the regular inspection of all such police and militia forces and records, and for calling them into the service of the union during periods of emergency.

53. All member states shall inform the Congress of all boundaries of their territories, and if there be no conflict in such claims with reference to any boundary between member states it shall be declared by the Congress to be the definite boundary. If the Congress shall find that any such boundary claims of adjacent member states are in conflict, then the Congress shall have paramount jurisdiction over any territory thus in dispute until the dispute is amicably adjusted.

54. No member state shall, without the consent of the Congress, occupy any territory which was not *de facto* and *de jure* under its jurisdiction on August 27, 1928 (except as such occupation may be the result of territorial changes which the Congress shall find to be com-

patible with the pact of Paris of that date). Any territory which shall be thus occupied with the consent of the Congress shall be under the paramount jurisdiction of the Congress.

55. Any territory which has changed its allegiance since August 27, 1928, by methods which the Congress shall deem to be incompatible with the pact of Paris shall, if included within the boundaries of a member state, be under the paramount jurisdiction of the Congress until the definitive boundaries and allegiance of such territories shall be determined in such manner as the Congress shall specify. The Congress may enact legislation to protect the civil, political, and minority rights of all persons living within territories thus placed under the paramount jurisdiction of the Congress by the provisions of Articles 53, 54, or 55.

56. The Congress shall have paramount jurisdiction over all colonies, mandated territories, dependencies, protectorates, and non-autonomous territories of all member states or mandated to member states, for the purposes only of:

- (a) determining the conditions under which any such territory shall be granted autonomy;
- (b) protecting the civil, political, and minority rights of the inhabitants of such territories;
- (c) rendering such territories equally accessible to the emigration and trade of all member states;
- (d) regulating the commerce of and with such territories;
- (e) conserving the natural resources of such territories and regulating their orderly employment;
- (f) providing currency, banking, and credit facilities within such territories;
- (g) providing for improvement in the educational and the public health facilities of such territories and for raising the standard of living of the population;
- (h) enforcing the law and extraditing fugitives from justice and persons accused of crime from and to such territories; and

- (1) providing for the defense of such territories and for the employment of their resources and facilities for the war effort of the union.

The Congress may provide for the appointment of commissioners and other officers for enforcing the provisions of this article.

57. Nothing herein contained shall be construed to modify the allegiance of the said territories or any of them, and they shall continue to owe full faith and allegiance to the several governments established in them.

AMENDMENTS

58. The Congress, whenever two-thirds of the full membership of both houses (as determined on the basis of the most recent elections in each case) shall deem it necessary, may propose an amendment to this Constitution, and any such amendment shall be valid and binding to all intents and purposes as a part of this Constitution when the same shall be approved verbatim by two-thirds of both houses within three years after the next regular congressional election.

59. On application of one-fourth of the member states, the Congress shall submit for popular referendum any proposed amendment to this Constitution originating either in the Congress (as provided for in Article 58) or in the legislative body of any member state. Whenever such a referendum shall be applied for in this manner, it shall be held at the next regular congressional election, and any person eligible to vote for a member of the Assembly shall be eligible to vote in such referendum. The said amendment shall be valid and binding to all intents and purposes as a part of this Constitution if and only if it be approved by a majority of votes cast in a majority of the several member states, provided it shall receive a favorable majority of all votes cast at this referendum throughout the union.

60. No amendment to Articles 3, 4, 22, 23, 24, 25, 26, 27, 41, 42, 43, 44, 59, or 60 shall be valid and binding unless approved by referendum applied for and held as provided in Article 59.

PROVISIONAL ACTION DURING THE WAR

61. When a majority of the United Nations shall agree to be governed by the provisions of Articles 1, 6, 8, 43, 48, and 49 hereof, such agreement may be embodied in a Provisional Constitution of the United Nations which may also include:

- (a) Provision for the adhesion thereto of non-belligerent states that are in agreement with the purposes of the United Nations; and
- (b) Agreement among all signatory states concerning the principles governing any future peace conference or constitutional convention³ affecting the United Nations.

³ The foregoing "Proposed Constitution of the United Nations" would presumably be submitted to such a constitutional convention by way of suggestion for its agenda.

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